

File
Cont'd
Referred
Denied
Approved

THURSDAY, February 23, 2012 1 2

STUDY SESSION - 1:30 P.M

PLANNING COMMISSION MEETING - 2:00 P.M

Study Session³
Conference Room 3
Planning Commission Meeting
Rancho Mirage City Council Chamber
69-825 Highway 111
Rancho Mirage, CA 92270

STUDY SESSION AGENDA

NON AGENDA PUBLIC COMMENTS - An opportunity to speak on issues not on the agenda for a maximum of 3 minutes.

PRESENTATION OF PROJECT AND COMMISSIONER QUESTIONS

1. Environmental Assessment Case No. EA110006, General Plan/Zoning Map Amendment Case No. GPZMA11001, General Plan Text Amendment Case No. GPT11001, Zoning Text Amendment Case No. ZTA11002, and Annexation Case No. ANN12001. - City of Rancho Mirage.
2. Review of Annual Report.

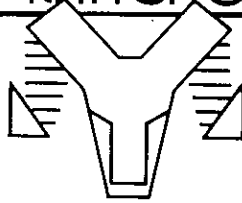
1 People with disabilities are encouraged to attend. If you have special communication or access needs, please contact City Offices at 760-324-4511 four business days in advance.

2 Staff reports for all agenda items considered by Planning Commission in open session are available for viewing and/or purchase at City Hall and the City's website www.ci.rancho-mirage.ca.us. Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection at the City of Rancho Mirage, Planning Department at 69-825 Highway 111, during normal business hours.

3 At the conclusion of the Study Session the Commission will reconvene at 2:00 p.m. in the Council Chambers at 69-825 Hwy. 111.

Declaration of Posting: I, _____, _____ of the City of Rancho Mirage, do hereby declare that a copy of the foregoing agenda was posted on the City Hall bulletin board on _____.

CITY OF RANCHO MIRAGE



AGENDA

File	Cont'd	Referred	Denied	Approved
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PLANNING COMMISSION AGENDA

CALL TO ORDER

- a) Flag Salute
- b) Roll Call: Alexander, Feder, Laufer,
Thayer & Weill

COMMISSIONER COMMENTS

NON-AGENDA PUBLIC COMMENTS - An opportunity to speak on issues not on the agenda for a maximum of 3 minutes.

APPROVAL OF MINUTES - January 12, 2012

PUBLIC HEARINGS

1. Consideration of Environmental Assessment Case No. EA110006, General Plan/Zoning Map Amendment Case No. GPZMA11001, General Plan Text Amendment Case No. GPT11001, Zoning Text Amendment Case No. ZTA11002, and Annexation Case No. ANN12001 to establish Regional Interstate Commercial (R-I-C) as a new General Plan and Zoning land use and map designation, apply the R-I-C land use designation to a 193 acre area and annex said 193 acre area to the City of Rancho. The Project is located east and west of Bob Hope Drive, north of Ramon Road and south of the Union Pacific Railroad.

ACTION ITEM

2. Review and recommendation to City Council of annual report.

ADJOURNMENT

PLANNING COMMISSION MEETING MINUTES

Thursday, January 12, 2012

City of Rancho Mirage
69-825 Highway 111
Rancho Mirage, CA 92270

CALL TO ORDER

Chairman Laufer called the Planning Commission meeting to order at 2:00 p.m.

ROLL CALL

Commissioners Present: Alexander, Feder, Kozlen,
Laufer & Weill
Absent: None
Staff Present: Kopp, Altopp, Isaacson &
Attorney Mizrahi

NON-AGENDA PUBLIC COMMENTS

None

COMMISSIONER COMMENTS

None

APPROVAL OF MINUTES

MOTION: It was MOVED/SECONDED by KOZLEN/ALEXANDER to approve the November 29, 2011 Planning Commission minutes.

The MOTION was PASSED by a 5/0 vote.

PUBLIC HEARING

Consideration of a Single Family Permit Case No. SFP11007 - Herrera. Approval for construction of a 5,498 square foot single story, single family home on a one acre lot located at 3 West Mountain Vista Court.

Mr. Altopp presented highlights of the staff report.

The Public Hearing was opened.

January 12, 2012
Planning Commission Minutes

Mr. Rudy Herrera, applicant for the project stated he was proud to submit his third home for approval in Rancho Mirage.

The public hearing was closed.

MOTION: It was MOVED/SECONDED by KOZLEN/FEDER to approve Single Family Permit Case No. SFP11007, subject to the listed Conditions of Approval and pursuant to the content and Findings in the staff report.

The MOTION was PASSED by a 5/0 vote.

Consideration a Single Family Permit Case No. SFP11008 - Appel Trust. Approval for construction of a 5,439 square foot single story, single family home on a 23,847 square foot lot located at 37-425 Los Reyes Drive.

Mr. Kopp presented highlights of the staff report.

Commissioner Kozlen inquired about the drainage.

Mr. Kopp stated the grading plans were approved in 2009 and the rough grading is completed and the drywells are installed. It was noted that the lot is lower than the lot next door. The Engineering Department has reviewed and approved the plan.

The Public Hearing was opened and closed without comment.

MOTION: It was MOVED/SECONDED by WEILL/ALEXANDER to approve Single Family Permit Case No. SFP11008, subject to the listed Conditions of Approval and pursuant to the content and Findings in the staff report.

The MOTION was PASSED by a 5/0 vote.

Consideration a Single Family Permit Case No. SFP11009 - Appel Trust. Approval for construction of a 5,737 square foot single story, single family home on a

January 12, 2012.
Planning Commission Minutes

28,479 square foot lot located at 71-172 LaPaz Road.

Mr. Kopp presented highlights of the staff report.

Commissioner Feder inquired about the small area between the property line and the existing Tamarisk Country Club fairway.

It was noted that the Tamarisk Country Club owns this small area.

Commissioner Feder inquired who would be completing and maintaining the landscaping.

The Public Hearing was opened.

Rick Holden, Architect for the project stated it would be in the applicant's best interest to finish the landscaping improvements.

MOTION: It was MOVED/SECONDED by KOZLEN/WEILL to approve Single Family Permit Case No. SFP11009, subject to the listed Conditions of Approval and pursuant to the content and Findings in the staff report.

The MOTION was PASSED by a 5/0 vote.

ADJOURNMENT

MOTION: It was MOVED by Chairman Laufer to adjourn the Planning Commission meeting at 2:50 p.m., January 12, 2012, and reconvene on February 9, 2012 at 2:00 p.m.

CITY OF RANCHO MIRAGE



Community Development Department
69-825 Highway 111
Rancho Mirage CA 92270

Phone 760/328-2266

Fax 760/324-9851

STAFF REPORT

To: Planning Commission **Date:** February 23, 2012

From: Bud Kopp, AICP, Interim Community Development Director

Subject: Environmental Assessment Case No. EA110006, General Plan/Zoning Map Amendment Case No. GPZMA11001, General Plan Text Amendment Case No. GPT11001, Zoning Text Amendment Case No. ZTA11002, and Annexation Case No. ANN12001.

ATTACHMENTS

Map 1 Project Location
Map 2 Proposed Land Use and Zoning Map
Initial Study
City Attorney's Independent Analysis
Proposed Ordinances & Resolution
Aerial Photo

FACTS

1. Applicant: City of Rancho Mirage
2. Purpose of Request: To establish Regional Interstate Commercial (R-I-C) as a new General Plan and Zoning land use and map designation, apply the R-I-C land use designation to a 193 acre area, annex said 193 acre area to the City of Rancho Mirage ("the Project"), and approve an Environmental Assessment regarding the above.
3. Location: The Project is located east and west of Bob Hope Drive, north of Ramon Road and south of the Union Pacific Railroad and is a portion of Section 13, T4S, R5E, SBB&M.

- Assessors Parcel Numbers include 670-240-003; 670-250-003; 670-250-004 and 670-250-005.
4. Parcel Size (Approx.): The Project consists of approximately 193 acres.
5. Existing Streets: Ramon Road (Major Arterial), Bob Hope Drive (Major Arterial), Los Alamos Road extension (Minor Arterial in the future)
6. Existing Land Use: Vacant.
7. Surrounding Land Use: N: Union Pacific Railroad
S: Vacant and Agua Caliente Resort and Casino
E: Union Pacific Railroad
W: Vacant
8. Existing General Plan/Zoning: The Project is located within the Rancho Mirage Sphere of Influence. The current General Plan Land Use and Zoning is Medium Density Residential (R-M). The area east of Bob Hope Drive is currently designated as Open Space Public Park (OS-PP)
9. Proposed General Plan/Zoning: Regional Interstate Commercial (R-I-C)
10. Surrounding General Plan/Zoning: N: Private Open Space (OS-PV)
E: Private Open Space (OS-PV)
S: Resort Hotel (Rs-H)
Community Commercial (C-C)
High Density Residential (R-H, 9 dwelling units (d.u.) per acre max.)
W: Medium Density Residential (R-M, 4 d.u./acre max.)
11. Environmental Information: An Environmental Assessment has been prepared and staff is recommending adoption of a Negative Declaration.

RECOMMENDATION

That the Planning Commission recommends to the City Council:

1. Approval of a Mitigated Negative Declaration of environmental impact based on EA11006; and,

2. Adoption of an Ordinance to amend the text of the General Plan Land Use Element Case No. GPT11001 establishing a Regional Interstate Commercial (R-I-C) land use designation; and,
3. Adoption of an Ordinance approving General Plan/Zoning Land Use Map Case No. GPZMA11001 to establish a Regional Interstate Commercial (R-I-C) land use designation consisting of approximately 193-acres of land east and west of Bob Hope Drive, North of Ramon Road and South of the Union Pacific Railroad; and,
4. Adoption of an Ordinance approving Zoning Text Amendment Case No. ZTA11002 amending Title 17 "Zoning" of the Rancho Mirage Municipal Code to establish a Regional Interstate Commercial land use designation and,
5. Approval of a Resolution for Annexation Case No. ANN12001 initiating an application to the Riverside Local Agency Formation Commission (LAFCO) to annex 193 acres of land east and west of Bob Hope Drive, North of Ramon Road and South of the Union Pacific Railroad to the city of Rancho Mirage.

PROJECT LOCATION

The proposed Project consists of a General Plan Land Use Amendment and Zoning Map Amendment (Pre-Zoning) for the purpose of annexing the subject 193 acres into the City of Rancho Mirage. The Project area is located east and west of Bob Hope Drive, north of Ramon Road and south of the Union Pacific Railroad as shown on Map #1 (attached). The site is within close proximity to the newly completed Bob Hope Drive/Interstate 10 freeway interchange.

BACKGROUND and REQUEST

The Project area is currently under the jurisdiction of Riverside County but has been within the Rancho Mirage Sphere of Influence (SOI) since City incorporation in 1973. The County had previously considered the property for a solid waste landfill site which was never implemented. However, the County changed the designation to Public Facilities (PF) in the event that a clean up effort was necessary.

In the 2005 City of Rancho Mirage General Plan Update, the land

was designated as Medium Density Residential (R-M, 4 d.u./acre maximum) with the exception of the small triangular area east of the current Bob Hope interchange which was designated as the location for a future public park. Three years later, the County began its 5 year General Plan Amendment cycle which included changing the portion of the site formerly designated as "Public Facilities" to "Residential Medium" (RM).

It should be noted that in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the General Plan/Zoning designation of land cannot be changed for three years following an annexation. It is for this reason that staff is proposing to amend the General Plan and pre-zone the property as Regional Interstate Commercial (R-I-C) prior to submitting the annexation application to LAFCO. The added requirement of a Specific Plan will provide the necessary land use flexibility without having to wait three years to process a zone change.

If left in the County and development were to occur today, the City would have little influence in the design of such development, yet the City would inherit all the impacts on services, with no tax revenue benefits.

DESCRIPTION AND ANALYSIS

Adjacent General Plan Land Uses:

North: Land north of the project area includes the Union Pacific Railroad, Private Open Space and Interstate 10 with vacant land beyond forming part of the unincorporated community of Thousand Palms. This area has a current General Plan land use designation of Light Industrial (LI) under the Riverside County Integrated Plan (RCIP). The Riverside County Zoning designation includes Rural Residential (R-R, Controlled Development Areas (W-2), and Industrial Park (I-P).

East: Land to the east is also occupied by the Union Pacific Railroad and Interstate 10. East of Interstate 10 is the unincorporated community of Thousand Palms, which was recently added as part of Cathedral City's Sphere of Influence. The RCIP General Plan land use designations for these areas include Medium Density Residential (MDR, Light Industrial (L-I), and Commercial Retail (CR). Existing commercial facilities serve the I-10 corridor

with fueling stations, hotels and fast food restaurants.

South: Land South of the project area includes Section 24, which is also situated within the Rancho Mirage Sphere of Influence. It includes Indian Reservation land attributed to the Agua Caliente Band of Cahuilla Indians. This section is predominately undeveloped. The developed portion of Section 24 includes the Agua Caliente Casino, Resort and Spa.

West: Undeveloped land within Section 14 is located to the west of the Project. This section is also a part of the Agua Caliente Band of Cahuilla Indians Reservation.

Existing General Plan Land Use Conditions of the Project Area in Riverside County

The Land Use Element of the Riverside County RCIP designates the Project area as Medium Density Residential (MDR) and Public Facilities. The MDR designation is intended for single-family detached and attached residences with a density range of 2-5 dwelling units per acre. Limited agriculture and animal keeping is permitted, however intensive animal keeping is discouraged. Lot sizes allowed under the RCIP range from 5,500 to 20,000 square feet. The Public Facilities designation currently on the western portion of the Project area was erroneously placed by Riverside County in the 2003 General Plan adoption.

Existing Zoning Conditions of the Project Area in Riverside County:

The Riverside County Zoning Ordinance designates the Project area as Controlled Development (W-2-20). Typical uses under the W-2 zone include, one family dwelling unit, and light agriculture as allowed uses.

Existing Rancho Mirage General Plan and Pre-zoning Conditions:

The City of Rancho Mirage employs a "single-map" system of land uses. This means that the City's General Plan Land Use designations are the same as the City's Zoning designations. The density and intensity standards expressed in the General Plan are the same as those expressed in the City's Zoning Ordinance.

The 2005 General Plan assigned land uses within the City's

Sphere of Influence which includes the Project area. The General Plan Land Use and Zoning Map designate the Project area as Medium Density Residential with a maximum of four dwelling units per acre (with the exception of the small triangular area east of Bob Hope Drive which is currently designated as public park).

Proposed General Plan and Zoning Conditions in Rancho Mirage:

Staff recommends that the City Council apply a Regional Interstate Commercial Zone (R-I-C) to the Project area prior to submitting the annexation application to LAFCO. The R-I-C General Plan and Zoning designation is to "provide a broad and flexible range of commercial and mixed uses within a planned, freeway-oriented business environment".

Projects developed within this designation require a specific plan (with the exception of the area east of Bob Hope Drive). Specific plans for these areas typically include "compatible design standards and must demonstrate shared internal circulation, and complimentary and synergistic relationships amongst uses." The R-I-C designation will permit freeway oriented "theme" signage visible from Interstate 10 in order to encourage and promote the development and operation of revenue generating land uses located within the land use category. Details of signage will be addressed in a comprehensive manner through a Specific Plan and/or in a Development Plan subject to the review and approval by the City Council. The following table compares the existing Rancho Mirage development standards to the proposed City of Rancho Regional Interstate Commercial (R-I-C) Land Use and Zoning requirements:

Table 1
Comparison of Existing W-2-20 Zoning in Riverside County to
Existing Rancho Mirage General Plan and Proposed Regional
Interstate Commercial (R-I-C) Land Use and Zoning
in Rancho Mirage

Development Feature	Rancho Mirage proposed zoning - Regional Interstate Commercial	Riverside County existing zoning - Controlled Development (W-2-20)	Rancho Mirage existing pre-zoning

Gross Lot Area (minimum)	10 acres or as approved in a Specific Plan	20,000 sf.	8000 sf.
Lot Coverage (maximum)	50%	N/A	30%
Setbacks Required			
Front	20/25 ft. ¹	20 ft	20 ft.
Side (each)	10 ft. ¹	5 ft.	10 ft.
Street side	20/25 ft. ¹	N/A	15 ft.
Rear	20 ft. ¹	10 ft.	25 ft.
Distance Between Structures	10 ft.	N/A	20 ft.
Maximum Height Limit	42 ft. ²	40 ft.	20 ft./1 story

¹ These dimensions vary and will be determined during the development plan review

² See additional height requirements (Rancho Mirage Municipal Code Section 17.20.100 which states that a Specific Plan may regulate heights).

Chapter 17.10 (Commercial and Industrial Districts) of the Rancho Mirage Municipal Code includes Table 2-4, which defines the allowable uses and permit requirements for commercial and industrial zoning districts. The permitted and conditionally permitted uses in the proposed Regional Interstate Commercial zone are summarized as follows:

TABLE 2-4

ALLOWABLE USES AND PERMIT REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

Land Use (1) (2) (4)	Permit Requirement by District	
	RIC	Project Review Authority
Education, Public Assembly, and Recreation		
Churches/Places of Worship	C	CC
Community/Cultural Centers	C	CC
Health/Fitness Centers	D	CC
Indoor Amusement/Entertainment Centers	D	CC
Libraries and Museums	D	CC
Membership Organization Facilities	C	CC
Nightclubs, With or Without Food Service	C	CC

Outdoor Recreation, Commercial	C	CC
Recreation Facilities, Private	D	CC
Schools, Private	C	CC
Schools, Specialized Education and Training	D	CC
Stables, Commercial	C	CC
Studios-Art, Dance, Music, Photography, etc.	D	CC
Theaters, Auditoriums, and Meeting Halls	D	CC
Manufacturing and Processing		
Beverage Production		CC
Chemical Products		CC
Clothing Products		CC
Electronics and Equipment Manufacturing		CC
Food and Beverage Manufacturing		CC
Food Products		CC
Furniture/Fixtures/Cabinet Shops		CC
Glass Products		CC
Handicraft Industries, Small Scale Assembly		CC
Laundries and Dry Cleaning Plants		CC
Lumber and Wood Products		CC
Machinery Manufacturing		CC
Metal Products Fabrication		CC
Paper Products		CC
Pharmaceutical Manufacturing		CC
Plastics and Rubber Products		CC
Printing and Publishing		CC
Recycling Facilities-Small Collection Facility 17.30.180		CC
Recycling Facilities-Large Collection Facility 17.30.180		CC
Recycling Facilities-Processing Facility 17.30.180		CC
Recycling Facilities-Reverse Vending Machines 17.30.180		CC
Research and Development		CC
Structural Clay and Pottery Products		CC
Textile Products		CC
Warehousing, Wholesaling, and Distribution Facilities	D	CC
Retail Trade		
Accessory Retail Uses	P	Staff
Art, Antiques, Collectibles, and Gifts	P	CC

Automobile Sales (new with incidental used)	C	CC
Auto (motor vehicle) Parts and Supplies	C	CC
Bars and Alcoholic Beverage Drinking Places, On-Site Consumption	C	CC
Building Material Stores	C	CC
Consignment Stores	C	CC
Convenience Stores	C	CC
Furniture, Furnishings and Equipment Stores	D	CC
Grocery Stores	D	CC
Liquor Stores, Off-Site Consumption	C	CC
Mobile Home, Recreational Vehicle Sales		CC
Outdoor Retail Sales and Activities 17.30.150		CC
Pet Stores	D	CC
Plant Nurseries	D	CC
Restaurants, Fast Food	D	CC
Restaurants, Specialty	D	CC
Restaurants, Standard	D	CC
Retail Stores, General Merchandise	D	CC
Shopping Centers	D	CC
Warehouse Retail Stores	C	CC
Automated Teller Machines (ATMs)	P	Staff
Banks and Financial Services	D	CC
Bed and Breakfast Inns 17.30.050	C	CC
Business Support Services	D	CC
Car (Motor Vehicle) Wash	C	CC
Hospital, Convalescent	C	CC
Hospital, Specialty	C	CC
Hotels	D	CC
Laundromats, Self-Service and Dry Cleaning, Drop-off only	D	CC
Medical Services, Clinics, and Laboratories	D	CC
Mortuaries and Funeral Parlors	D	CC
Offices, Professional	D	CC
Personal Services	D	CC
Repair and Maintenance, Consumer Products	D	CC
Repair and Maintenance, Vehicles		CC
Service Stations	C	CC
Spa Facilities	D	CC

Storage (Self Service, Personal Storage) Facilities		CC
Veterinarian Clinics and Animal Hospitals	C	CC
Transportation and Communication Facilities		
Alternative Fuels and Recharging Facilities	D	CC
Broadcast and Recording Studios	D	CC
Public Utility Facilities	C	CC
Satellite Antenna	C	CC
Temporary Parking Lots (in compliance with city improvement standards)		CC
Transit Stations and Terminals		CC
Vehicle Storage Facilities		CC
Wireless Facilities 17.32.050	C	CC
Residential		
Accessory Uses and Structures		Staff
Assisted Living Facilities 17.30.040	C	CC
Caretaker/Employee Housing		CC
Child Care Centers Up to 15 Children 17.30.060	C	PC
Child Care Centers 16-30 Children 17.30.060	C	CC
Condo-Hotel Projects 17.30.095	D	CC
Live/Work Facilities		PC
Multifamily Housing	C	CC
Residential Care Homes Up to 8 Clients		Staff
Residential Care Homes 9+ Clients	D	CC
Senior Congregate Care Housing 17.30.210		CC
Vacation Ownership Resorts (5)		CC

Key to Permit Requirements		
Symbol	Applicable Process	See Chapter
P	Permitted use (3)	
D	Development Plan Permit required	17.42
C	Conditional use-Conditional Use Permit required	17.48
Blank	Use not allowed	

Notes:	(1)	See Section 17.02.020(D) (Allowable uses of land).
	(2)	See Section 17.90.020 for definitions of the land uses listed.
	(3)	A director approved development plan permit shall be required. See Chapter 17.42.
	(4)	In existing conforming structures land uses allowed with a development plan permit may be considered a permitted (P) use.
	(5)	Fractional ownership may be permitted subject to approval of a development agreement pursuant to Section 17.56 of this title. See Section 17.30.260, Time Share and Vacation Ownership Uses.

(Ord. 1021 § 2, 2011; Ord. 952 § 1, 2007; Ord. 932 § 5, 2006; Ord. 845 § 4, 2003)

Uses that are not identified are considered "not allowed", however, a future specific plan may further refine the list of uses.

CITY COUNCIL SPHERE OF INFLUENCE SUBCOMMITTEE

Staff worked with the Sphere of Influence Subcommittee on cultivating a mutually beneficial relationship with the property owner. A Pre-Annexation agreement was approved by the City Council on October 6, 2011, which included the establishment of the proposed R-I-C Land Use district.

SB-18 COMPLIANCE

This Project is subject to the provisions of Senate Bill 18 (Government Code Section 65352.4) which requires cities and counties to consult with Native American Tribes when processing General Plan and Specific Plans. The Native American Heritage Commission (NAHC) provided the City with a list of 13 Tribes that are culturally affiliated with the area, and the City must provide each of the tribes with information related to the proposed Project. If the Tribe does not respond within the required 90-day comment period or responds with a "no affect" determination; no further consultation is required. Prior to the close of the 90-day review period, a Tribe may request further consultation that may require certain agreements, addendums or conditions, or the development of additional policies.

The SB-18 comment period for this Project will close on March 12, 2012. As of the date of this report, we have received a "no affect" letter from the Soboba Band of Lisueno Indians, who wished to defer to the Agua Caliente Band of Cahuilla Indians (ACBCI). Planning Staff discussed the project with Margaret Park, Planning Director with the ACBCI. We anticipate that ACBCI will provide the City with a letter prior to the close of the 90-day comment period, and staff will add the customary mitigation measures and monitoring conditions that ACBCI requests to the staff report that will be considered by the City Council. It should be noted that although Tribal Reservation Boundaries are adjacent to the south and west sides of the Project site, no portion of the Project area lies within a Tribal Reservation boundary or Tribal Habitat Conservation Area.

ENVIRONMENTAL DISCUSSION

Staff has performed an Initial Study and it is attached for your review as Exhibit "A". A Notice of Availability has been filed with the County Clerk in compliance with CEQA. Responsible and Trustee Agencies (utility companies, School District, County Agencies, etc.) have been provided a copy of the Initial Study for Review and Comment. As of February 16, 2012, only SunLine Transit Agency provided a letter of response but had "no comments".

The Project is compatible with adjacent land uses. No significant environmental impacts are expected to occur as a result of the General Plan/Zoning Map Amendment and request for annexation, therefore a Negative Declaration is recommended for approval. Future Development of the annexation site will require project specific environmental review under the applicable guidelines and regulations of CEQA.

LAFCO PLAN OF SERVICES - EXECUTIVE SUMMARY AND FINDINGS

The proposed Project Annexation (Case No. ANN12001) includes approximately 193 acres east and west of Bob Hope Drive, north of Ramon Road and south of the Union Pacific Railroad. The Project area is currently located in the City of Rancho Mirage Sphere of Influence and is under the jurisdiction of Riverside County. Prior to submitting the required LAFCO application for annexation, the City of Rancho Mirage is also completing the proposed General Plan Amendment and Zoning Map Amendment to pre-zone the property with the attached Initial Study which resulted in the recommendation to adopt a Negative Declaration for this annexation Project. This General Plan Land Use and Zoning Map

Amendment, related Environmental Assessment and Plan of Services will all be submitted as a part of the LAFCO application. Upon successful completion of the annexation, the General Plan and Zoning designations would take effect, and the Project area will become a part of the City of Rancho Mirage.

A Plan of Services Report ("Report") has been prepared to provide the City, affected property owners, the Riverside County Local Agency Formation Commission (LAFCO), and other interested persons with information concerning government functions, and service costs in order to facilitate the decision making process. Included in the Report are a brief description of the area, current level of services and facilities, and estimates of costs and expenditures where possible. This Plan of Services is being submitted in fulfillment of the requirements contained within the LAFCO application procedures and the Plan has been prepared per Government Code Section 56653 for Plan of Providing Municipal Services.

The following findings are elaborated upon further in the body of the Report:

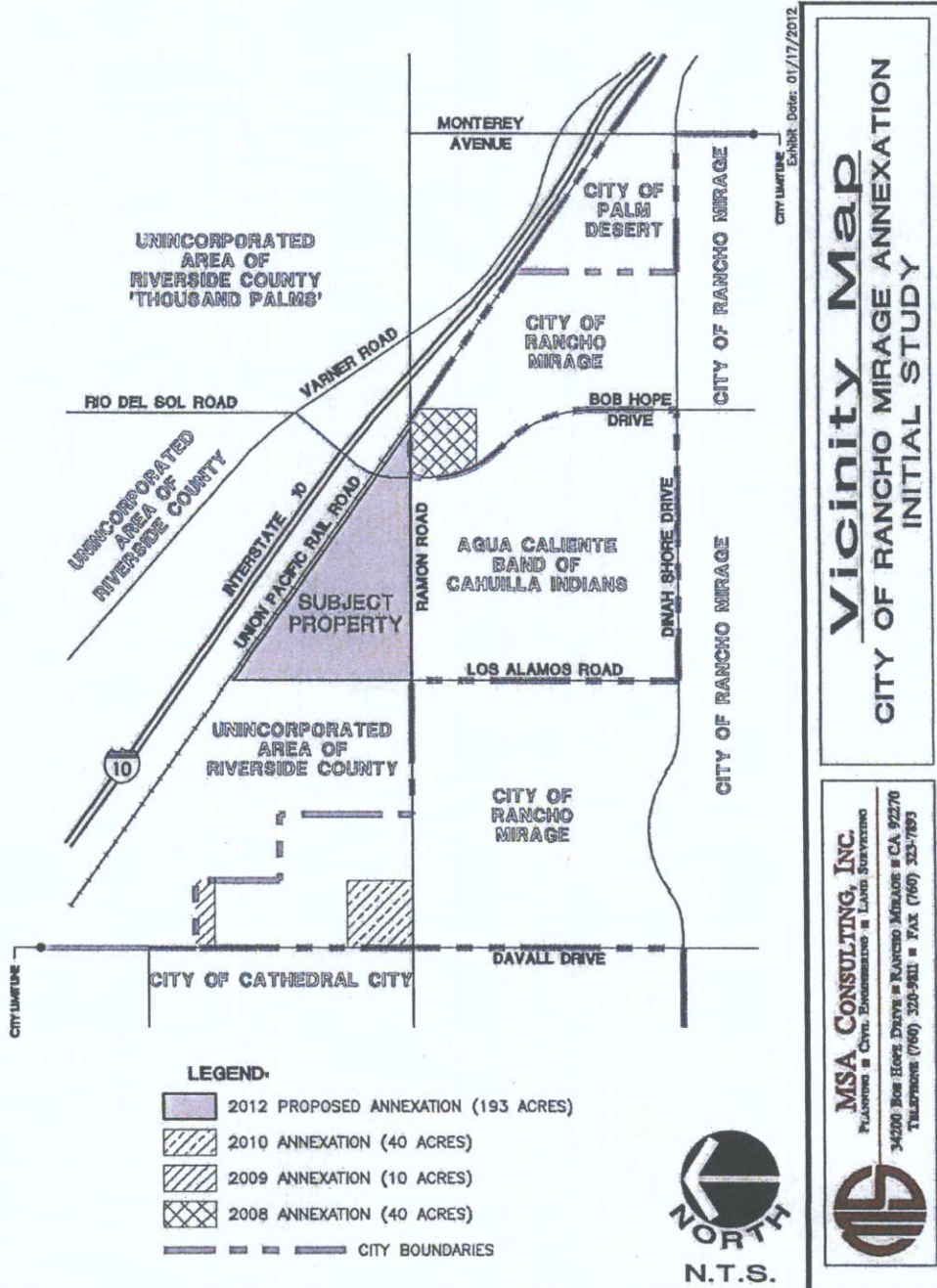
Advantages:

1. Annexation would not adversely impact the City of Rancho Mirage by extending needed infrastructure and services. Annexation would also give the City control over the development of the area through planning and zoning.
2. The Regional Interstate Commercial (R-I-C) General Plan Land Use and Zoning Map designation for the Project area will provide for the logical expansion of the City in a manner that is consistent with existing and previously planned development in the subject area and compatible with the development to the north, east and south in the City of Rancho Mirage.
3. Annexation would not adversely impact the City of Rancho Mirage through the extension of needed infrastructure and services.

Disadvantages:

None identified at this time.

Map 1
Project Location

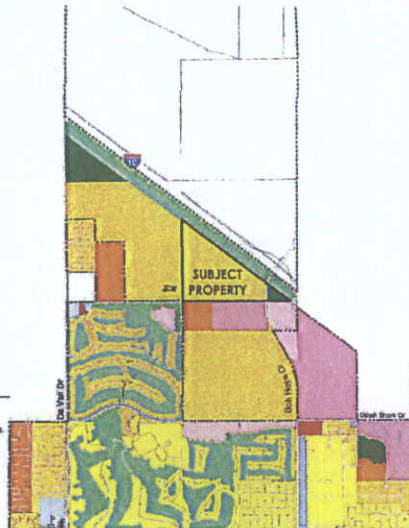


Map 2 Proposed Land Use & Zoning Map

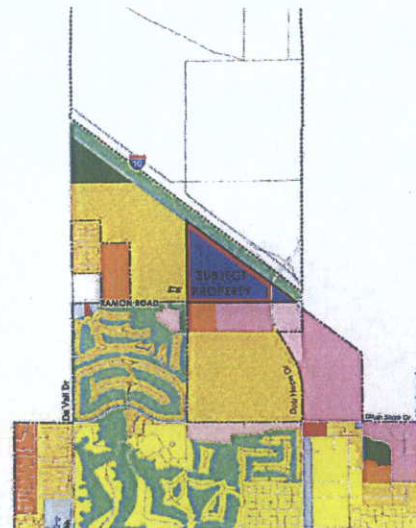
THIS EXHIBIT DATA WAS DERIVED FROM:
CITY OF RANCHO MIRAGE GENERAL PLAN EXHIBIT II-1

LAND USE PLAN

- RESIDENTIAL**
- R-1 Residential Single 1 duplex Max.
 - R-2 Single 2 duplex Max.
 - R-3 Single 3 duplex Max.
 - R-4 Medium Density 4 duplex Max.
 - R-5 High Density 5 duplex Max.
 - R-6 Mobile Home Park 8 duplex Max.
 - R-7 Mobile Home 1 duplex Max.
- COMMERCIAL**
- C-1 Office
 - C-2 Neighborhood Commercial
 - C-3 General Commercial
 - C-4 Community Commercial
 - C-5 Resort Hotel
 - C-6 Mixed Use (Commercial/Office/Residential)
- INSTITUTIONAL**
- I-1 Public/Quasi Public
 - I-2 City Hall
 - I-3 Fire Station
 - I-4 Hospital
 - I-5 School
 - I-6 Library
 - I-7 Post Office
 - I-8 Utility Substation
- OPEN SPACE**
- O-1 Public Park
 - O-2 Mountain Preserve
 - O-3 Private Open Space
 - O-4 Recreational and Drainage Channels
 - O-5 Right of Way
- OVERLAYS**
- EO-1 Easement Overlay
 - EO-2 Special Corner
- * These overlays are included in land use acreages above.
- SP-1 Spheres of Influence South of I-15
SP-2 Sphere Area North of I-15 (Not Shown)



EXISTING GENERAL PLAN DESIGNATION



PROPOSED GENERAL PLAN DESIGNATION

- REGIONAL INTERSTATE COMMERCIAL (R.I.C.)
- SPECIFIC PLAN OVERLAY

N.T.S.

Existing and Proposed General Plan Land Use and Zoning Map
 CITY OF RANCHO MIRAGE ANNEXATION
 INITIAL STUDY

MSA CONSULTING, INC.
 PLANNING & CIVIL ENGINEERING & LAND SERVICES
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CITY OF RANCHO MIRAGE



Community Development Department
69-825 Highway 111
Rancho Mirage CA 92270

Phone 760/328-2266

FILED
RIVERSIDE COUNTY

JAN 26 2012

LARRY W. WARD, CLERK
By *m. meyer* M. Meyer
Deputy

Fax 760/324-9851

PUBLIC NOTICE OF AVAILABILITY

Document Type: Environmental Assessment (Mitigated Negative Declaration)

Case No. EA110006,

Annexation Case No. ANN12001

Zoning Text Amendment Case No. ZTA11001,

Zoning Map Amendment Case No. ZMA11002

General Plan Zoning Map Amendment Case No. GPZMA11001

General Plan Text Amendment Case No. GPT11001

Date: 01/24/12

COUNTY CLERK
Neg Declaration/Nic Determination
Filed per P.R.C. 21152
POSTED

JAN 26 2012

Removed: _____
By: _____ Dept.
County of Riverside, State of California

Project Title: City of Rancho Mirage Annexation (portion of Section 13)

Project Location (Specific): South of Union Pacific Railroad; North of Ramon Road; East and West of Bob Hope Drive being a portion of Section 13, Township 4 South, Range 5 East.

Location (City): City of Rancho Mirage

Project Location (County): Riverside

Description of Project: The project proposes the annexation of 193 acres of land currently under the jurisdiction of Riverside County, within the City of Rancho Mirage designated Sphere of Influence. The logical extension of the City's boundaries to the north would allow for the City to have direct influence over the design and service impacts on this land.

The proposed annexation process does not involve approval of any development entitlements. Future development would occur pursuant to a proposed General Plan text, map and zoning ordinance amendment designation referred to as "Regional Interstate Commercial" (R-I-C). This new designation would allow for a broad and flexible range of commercial and mixed uses, within a planned, freeway oriented business development environment, subject to the approval of a Specific Plan.

Lead Agency: City of Rancho Mirage, Community Development Department

Lead Agency Contact Person: Bud Kopp, Senior Planner

Telephone: (760) 328-2266

Address Where Documents May Be Obtained: City of Rancho Mirage, 69-825 Highway 111, Rancho Mirage, CA 92270

Public Hearing(s): Planning Commission hearing February 23, 2012. A 20-day public review period for the Draft Mitigated Negative Declaration will commence at 8:00 a.m. on Friday, January 27, 2012 and end on February 16, 2012 at 5:00 p.m. for interested individuals and public agencies to submit written comments on the document. Any written comments on the Mitigated Negative Declaration must be received at the above address within the public review period.

Anyone interested in this matter is invited to comment on the documents by written response or by personal appearance at the hearing. Persons wishing to ask questions or obtain further information should call:

Name: Bud Kopp
Phone: (760) 328-2266

Title: Senior Planner

BY: *Bud Kopp*

Signature

**Final Draft
Initial Study and Notice of Intent
To Adopt
Negative Declaration**

Annexation Case No. ANN12001
General Plan/Zoning Map Amendment
Case No. GPZMA11001
General Plan Text Amendment Case No. GPT11001
Zoning Text Amendment Case No. ZTA11002
And
Environmental Assessment Case No. EA110006

January 24, 2012

Prepared for:

City of Rancho Mirage



Prepared by:

Rancho Mirage Community Development Department
Planning Division
Bud Kopp AICP, Senior Planner
69-825 Highway 111
Rancho Mirage, CA 92270

**City of Rancho Mirage
Community Development Department**

68-825 Highway 111
Rancho Mirage, CA 92270
Telephone: (760) 328-2266

Initial Study – Environmental Checklist

Environmental Checklist Form

1. Project title: City of Rancho Mirage Annexation

2. File Numbers:

- Annexation Case No. ANN12001
- General Plan/Zoning Map Amendment Case No. GPZMA11001
- General Plan Text Amendment Case No. GPT11001
- Zoning Text Amendment Case No. ZTA11002
- Environmental Assessment Case No. EA110006

2. Lead agency name and address:

City of Rancho Mirage
69-825 Highway 111
Rancho Mirage, CA 92270

3. Contact person and phone number:

Bud Kopp, AICP
Senior Planner
(760) 328-2266

4. Project location:

South of Interstate 10; North of Ramon Road; East and West of Bob Hope Drive;
A portion of Section 13, Township 4 South, Range 5 East

5. Project sponsor's name and address:

City of Rancho Mirage
69-825 Highway 111
Rancho Mirage, CA 92270

6. Existing Riverside County General Plan and Zoning designation:

Land Use: Public Facilities (PF) and Medium Density Residential (MDR);
Zoning: Controlled Development Areas (W-2-20)

7. Existing Rancho Mirage Sphere of Influence General Plan and Zoning designation:

Residential - Medium Density 4 DU per Acre Max (R-M);
Open Space - Public Park (OS-PP)

Introduction and Description of the Project:

The proposed project involves the annexation of approximately 193 acres of land currently under the jurisdiction of Riverside County, within the City of Rancho Mirage designated Sphere of Influence. The lands known as the City's Sphere of Influence are identified by the Riverside County Local Agency Formation Commission (LAFCO) as areas likely to be serviced or annexed by the City in the future. The City presently does not have regulatory control over these lands, but does have authority and responsibility to designate its preference for land use planning in the County land, which is reflected in the current Rancho Mirage General Plan.

The project area represents approximately 14 percent of the total Rancho Mirage Sphere of Influence (1,384.5 acres). The site is located west and east of Bob Hope Drive, north of Ramon Road and south of Interstate 10. It is assigned Assessor's Parcel Numbers (APN's) 670-240-003; 670-250-003; 670-250-004 and 670-250-005. The project location can also be described as being a portion of Section 13, Township 4 South, Range 5 East, San Bernardino Base and Meridian.

The logical extension of the City's boundaries to the north would allow for the City to have direct influence over the design and service impacts on this land. Project implementation would also facilitate the orderly processing of further environmental analysis required for future development projects on-site. The proposed annexation process does not involve approval of any development entitlements. Future development is subject to discretionary approval by the governing agencies.

Prospective development in the project area would occur pursuant to a proposed zoning designation referred to as "Regional Interstate Commercial" (R-I-C). This designation would allow for a broad and flexible range of commercial and mixed uses within a planned, freeway oriented business development environment. A Specific Plan overlay would apply to the vacant project area west of Bob Hope Drive. Prospective development would be subject to project-specific environmental review under the applicable guidelines and regulations of the California Environmental Quality Act (CEQA).

Other actions associated with the project include a General Plan Map and Text Amendment; a Zoning Map and Text Amendment; Circulation Element Map Amendment; and Amendment to official City Boundary Maps. Project implementation will require Approval by the Riverside Local Agency Formation Commission (LAFCO).

Existing Setting:

Vacant land with scattered native and invasive vegetation comprises a majority of the annexation area; however, portions of the site have also been disturbed by construction staging activities. An eastern portion is occupied by the recently completed Bob Hope Drive/Interstate 10 interchange project and a small utility facility.

The site's current General Plan land use designations under the Riverside County Integrated Plan (RCIP) are Medium Density Residential (MDR) and Public Facilities (PF). The Riverside County zoning designation is Controlled Development Areas (W-2-20). The City of Rancho Mirage Sphere of Influence designates a majority of the project property as Residential Medium Density (R-M). The remaining portion is designated as Open Space Public Park (OS-PP).

Land north of the annexation area includes the Union Pacific Railroad and Interstate 10, beyond which is vacant land forming part of the unincorporated community of Thousand Palms. The railroad corridor and vacant land north of Interstate 10 have a current General Plan land use designation of Light Industrial (LI) under the Riverside County Integrated Plan (RCIP). The Riverside County Zoning designations include Rural Residential (R-R), Controlled Development Areas (W-2), and Industrial Park (I-P). The City of Rancho Mirage Sphere of Influence designates this area as Private Open Space (OS-PV).

Land to the east is also occupied by the Union Pacific Railroad and Interstate 10 Freeway due to the northwest-to-southeast trend of the transportation corridor. East of Interstate 10 is the unincorporated Community of Thousand Palms, which recently formed part of the Cathedral City Sphere of Influence. The RCIP General Plan land use designations for these areas include Medium Density Residential (MDR), Light Industrial (LI), and Commercial Retail (CR). Existing commercial establishments largely serve the interstate corridor with fueling stations, hotels and fast-food restaurants.

Land south of the proposed annexation includes Section 24, also situated within the Rancho Mirage Sphere of Influence. It includes Indian Reservation land attributed to the Agua Caliente Band of Cahuilla Indians. This section is predominantly undeveloped. The developed portion of Section 24 is the *Agua Caliente Casino, Resort and Spa*, a regional destination. Moreover, the adopted Section 19 Specific Plan area (269 acres) is located approximately one half-mile southeast of the project. The plan will allow for a mix of uses, including commercial, office, restaurant, entertainment, residential, hotel and open space. A five acre recreational space is centrally located within in the adopted Section 19 Specific Plan to provide parkland amenities for future development north of Dinah Shore Drive, including the project site.

Undeveloped land within Section 14 is located to the west of the project. That section also forms part of the Agua Caliente Band of Cahuilla Indian Reservation.

EXISTING AND PROPOSED ON-SITE LAND USES AND ZONING				
	CITY OF RANCHO MIRAGE SPHERE OF INFLUENCE		RIVERSIDE COUNTY INTEGRATED PROJECT (RCIP)	
	GENERAL PLAN	ZONING	GENERAL PLAN	ZONING
EXISTING	Residential-Medium Density 4 Dwelling Units Per Acre Max (R-M)	Residential-Medium Density 4 Dwelling Units Per Acre Max (R-M)	Public Facilities (PF) and Medium Density Residential (MDR)	Controlled Development Areas (W-2- 20)
PROPOSED	Regional Interstate Commercial R-I-C (A Specific Plan overlay would apply to the project area west of Bob Hope Drive, which represents a portion of APN's 670- 240-003; 670-250-003 and 670-250-004)	Regional Interstate Commercial R-I-C (A Specific Plan overlay would apply to the project area west of Bob Hope Drive, which represents a portion of APN's 670-240-003; 670-250-003 and 670-250-004)	City	Not Applicable

Other public agencies whose approval is required:
Local Agency Formation Commission (LAFCO)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gases | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Signature

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

I. AESTHETICS -- Would the project:

- a) Have a substantial adverse effect
on a scenic vista?

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Discussion:

The project site is approximately 193 acres of mostly vacant land located within Rancho Mirage Sphere of Influence, north of the existing City Boundary. An eastern portion of the site is traversed by the Bob Hope Drive/Interstate 10 interchange, a transportation project completed in November of 2011. As previously described, the Union Pacific Railroad and Interstate 10 Freeway are situated north and east of the site. Land to the south includes the *Agua Caliente Casino, Resort and Spa*, vacant land and a golf course community. The *Agua Caliente Casino, Resort and Spa* is a regional destination that includes a multiple-story hotel building with a concert venue, casino floor and a multi-level parking garage. Ample signage, a large marquee structure and nighttime illumination make the resort complex highly visible. Vacant land and the site of a future Palm Springs Unified School District High School under construction are located to the west. The project site has partial views of the San Jacinto Mountains to the west; the Indio Hills and Little San Bernardino Mountains to the north and east; and the Santa Rosa Mountains to the south. However, these existing views are partially impaired by the existing development (commercial uses, residential uses, roadways) that is also visible from the site.

The proposed project would result in a jurisdictional change for approximately 193 acres of land from the County of Riverside to the City of Rancho Mirage. Subsequently, the RCIP General Plan buildout with Public Facilities (PF) and Medium Density Residential (MDR) land uses intended for the subject property would instead occur under the guidance of the proposed Pre-zoning designation of Regional Interstate Commercial (R-I-C). A Specific Plan overlay would apply to the project area west of Bob Hope Drive. Development under the R-I-C would be subject to further environmental analysis through the required CEQA process and through the City's design review process.

The proposed annexation is not anticipated to substantially or adversely alter the existing viewshed on any nearby scenic vistas because its implementation would leave the site undisturbed until future development is proposed and is subject to further environmental review. Moreover, the site extends below-grade of the Bob Hope Drive/Interstate 10 Interchange and is not visible from Interstate 10 due to the existing berm and tamarisk tree rows. The annexation would not substantially alter the visual appearance of the City's scenic vistas, or degrade the existing visual character or quality of the site and its surroundings. Less than significant impacts on any scenic vista are anticipated from the proposed annexation.

Cumulative Impacts: None

Mitigation Measures: None

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- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

☐☐☒☐

Discussion:

According to the Circulation Element of the Riverside County General Plan, the segment of Interstate 10 Freeway north of the project is not determined to be a State Designated, State Eligible or County Designated Scenic Highway. The mentioned segment of Interstate 10 Freeway is determined to be "eligible" as a County Scenic Highway, but is not yet designated as such. The purpose of the State Scenic Highway Program is to preserve and protect scenic State highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. State highways can either be officially designated as Scenic Highways or be determined to be eligible for designation. The status of a state scenic highway changes from eligible to "officially designated" when a local jurisdiction adopts a scenic corridor protection program and the California Department of Transportation (Caltrans) approves the designation as a Scenic Highway.

The annexation property is relatively flat land with a general descent in elevation from west to east. It supports scattered native and invasive vegetation that is largely characterized by short scrub plants; however, no structures, large trees, rock outcropping or other salient features are present on-site with the exception of the recently built Bob Hope Drive/Interstate 10 interchange and a small utility facility located in the triangle between Ramon Road and the UPRR right-of-way. Moreover, the property is separated from Interstate 10 by rows of tamarisk trees and berm along the Union Pacific Railroad corridor (off-site). These existing conditions serve as a visual barrier between Interstate 10 and land to the south and southeast. Therefore, less than significant impacts are anticipated on scenic resources, trees, rock outcroppings or historic structures within a state scenic highway.

The City of Rancho Mirage General Plan identifies various goals and policies that aim to preserve the City's scenic viewsheds, vistas and resources while promoting visibility and accessibility for development. Under the Community Design Element of the City's General Plan, various scenic roadways are identified for their potential aesthetic value to the City in the desert context. Ramon Road immediately south of the project is assigned the Special Arterial Landscape concept while the segment of Bob Hope Drive south of Ramon Road is assigned the Gateway Landscaping concept. The Special Arterial Landscape concept allows for unique landscape themes in the context of future adjoining development. The Gateway Landscaping concept is reserved for major entry points into the City with a dramatic and rhythmic corridor. Furthermore, a Primary Gateway point is identified at the intersection of Bob Hope Drive and Ramon Road, located south of the annexation area. An Enhanced Intersection point is identified at the intersection of Los Alamos Road and Ramon Road, situated southwest of the annexation area. These intersection points would call for heightened design details and features to help promote the preservation of scenic views in comparison with the County standards, which more generalized. The proposed annexation would not adversely impact the Rancho Mirage General Plan goals or objectives on promoting scenic corridors. Conversely, it would facilitate the implementation of these community design measures through the future improvements subject to a separate environmental and design review. Less than significant impacts are anticipated from the proposed annexation.

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Cumulative Impacts: None

Mitigation Measures: None

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

☐☐☒☐

Discussion:

Implementation of the proposed annexation would not substantially alter or degrade the existing visual character or quality of the site and its surroundings. Prospective development on-site would occur under the proposed land use and zoning concept of Regional Interstate Commercial (R-I-C), which would allow for a broad and flexible range of commercial and mixed uses, within a planned, freeway oriented business development environment. Future entitlements would be subject to the City's design review as well as further environmental analysis. Less than significant impacts are anticipated to result from the jurisdictional change that is the subject of this Initial Study.

Cumulative Impacts: None

Mitigation Measures: None

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

☐☐☒☐

Discussion:

The annexation area is land that is predominantly vacant, but a portion of the Bob Hope Drive/Interstate 10 interchange occupies an eastern extent of the property. Existing sources of light in the form of vehicular, traffic signals and street lights are located at the intersection of Bob Hope Drive and Ramon Road, immediately south of the interchange. Neighboring sources of light and glare are caused by existing traffic along the Interstate 10 corridor to the north, Ramon Road to the south, Bob Hope Drive to the southeast and other local roadways. The *Agua Caliente Casino, Resort and Spa* is an existing complex located southeast of the annexation area. This facility produces nighttime illumination for security, decorative and advertising purposes. The advertising includes a large marquee that is visible from a significant distance. Furthermore, the intersection of Ramon Road and Varner Road has a 24-hour truck stop, gasoline stations, hotels and fast food restaurants northeast of Interstate 10. These establishments also represent existing sources of light and potential glare.

The proposed annexation is not anticipated to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Prospective on-site development would be reviewed to ensure that the lighting and potential glare produced by the project did not substantially impact views in the area. Future developments' new source of lighting will be conditioned to conform to the City's policies on lighting, exterior glare and heat while addressing the necessary security and decorative illumination. Less than significant impacts are anticipated to result from the annexation.

Cumulative Impacts: None

Mitigation Measures: None

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II. AGRICULTURE RESOURCES -- Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

☐☐☐☒

Discussion:

The proposed annexation will not result in the disturbance or conversion of any designated farmland or other form of agricultural resource. The project site and surrounding uses include primarily vacant land as well as a mixture of land uses that do not include agricultural operations.

According to the 2008 California Farmland Mapping and Monitoring Program (FMMP) Geographic Information Systems database, the project site is categorized as Other Land (X). Per the FMMP, this category of land is not considered important farmland. Other Land is used to identify properties that are not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

The project site is not adjacent to land that is categorized as Prime Farmland, Unique Farmland, or Farmland of Local or Statewide Importance, and therefore could not be adversely affected. Regarding the conversion of important farmland to a non-agricultural use, no impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

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Discussion:

According to the Williamson Act Program 2008 Status Report, no portion of land within a one-mile radius is recognized as being under a Williamson Act Contract. There are no other agricultural areas or related zoning policies with which the proposed project would conflict. The proposed annexation will not impact or remove any portion of land from the City or County's agricultural zoning or agricultural preserve. As related to existing agricultural zoning or a Williamson Act contract, no impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

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c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

☐☐☐☒

Discussion:

No forest land, timberland, or Timberland Production areas are situated on or in the immediate surroundings of the site. As a result, the proposed project will not conflict with or result in the eventual conversion of such land. No impact is anticipated to result from the project.

Cumulative Impacts: None

Mitigation Measures: None

d) Result in the loss of forest land or conversion of forest land to non-forest use?

☐☐☐☒

Discussion:

No forest land occurs in the project site or surrounding areas largely because forest vegetation is uncharacteristic in the Coachella Valley floor desert environment. As a result, no such land will be affected by the project, resulting in no impact.

Cumulative Impacts: None

Mitigation Measures: None

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

☐☐☐☒

Discussion:

No farmland or forest land is situated within the project site or in the immediate surroundings. The proposed project is not anticipated to result in the eventual conversion of farmland or forest land to non-agricultural or non-forest use. No impacts are anticipated to result from the project.

Cumulative Impacts: None

Mitigation Measures: None

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III. AIR QUALITY: Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

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Discussion:

The project lies within the Salton Sea Air Basin, under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Final 2007 Air Quality Management Plan (AQMP) serves as a policy guide for decision-making related to air quality throughout the region. It provides strategies for controlling air pollution, maintenance and attainment in order to achieve state and federal attainment levels.

At the local level, the Air Quality Element of the Rancho Mirage General Plan establishes a series of policies which aim to protect the public health through the improvement of regional air quality. Air Quality Policies include actions that are specifically geared toward the reduction of vehicular emissions through a variety of means. These policies include promotion of the development of pedestrian oriented retail centers, as well as community wide multi use trails and bike lanes, and other desirable alternatives to motor vehicle traffic.

A Technical Background Study was prepared by the Planning Center to evaluate existing air quality conditions in Rancho Mirage to assess future air quality impacts associated with implementation of the City General Plan Update. The project site, within the Coachella Valley, is located within the jurisdiction of the South Coast Air Quality Management District (SCAQMD) which includes much of southern California and the Salton Sea Air Basin (SSAB). The General Plan EIR states that build-out of the General Plan (including this project site) will result in significant air quality impacts if the mitigation measures identified in the EIR are not implemented. The General Plan EIR also states that air quality impacts resulting from construction activities could be significant and should be analyzed in detail, as each specific development is proposed and site-specific environmental documents are prepared. At that time, project-specific mitigation measures will be identified, as needed, to reduce potential impacts to acceptable levels.

The Rancho Mirage General Plan EIR identifies mitigation measures that can be applied to new development projects throughout the life of the General Plan to reduce project-related pollutant emissions, however Page 5-28 of the EIR indicates that the General Plan is expected to generate emission levels in exceedance of AQMD's threshold for the criteria pollutants CO, ROG, NOX and PM10 in the SSAB which is classified as a nonattainment area. The Salton Sea Air Basin has been designated by the U.S. EPA as serious nonattainment for ozone (8-hour standard) and for PM10. Additionally General Plan buildout is not consistent with the AQMP due to the substantial increase in the number of vehicle trips generated by the proposed development. This would likewise constitute a significant air quality impact.

CEQA requires that General Plans be evaluated for consistency with the AQMP. A consistency determination plays an important role in local agency project review by linking local planning and individual projects to the AQMP. Only new or amended General Plan elements, Specific Plans, and major projects need to undergo a consistency review. This is because the AQMP strategy is based on

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projections from local General Plans. Projects that are consistent with the local General Plan are considered consistent with the air quality-related Regional Plan. A Statement of Overriding considerations for Air Quality was adopted by Rancho Mirage.

When a Specific Plan is processed with a site specific development proposal, the project would be subject to SCAQMD Rule 403-1 (governing fugitive dust emissions from project construction within the Coachella Valley) as well as the City's fugitive Dust and Erosion Control policies. Upon implementation of project design features as identified in Section 5.2.5 of the General Plan EIR, regulatory requirements, and standard conditions of approval, the impacts would be less than significant. Construction activities for the future development can be expected to contribute to short term air quality impacts; however, these are not expected to exceed the SCAQMD thresholds.

Prospective developments will be subject to further CEQA analysis, as required prior to any entitlement approvals. The project proponent shall submit a Greenhouse Gas (GHG) analysis and mitigation plan in compliance with AB-32, SB-375, and other adopted state legislation and requirements. Less than significant impacts are expected relative to jurisdictional relocation of the project from Riverside County to Rancho Mirage.

Cumulative Impacts: None

Mitigation Measures: None

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

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Discussion:

As mentioned previously, the project site is located within the Salton Sea Air Basin, which has been designated by the California Air Resources Board as nonattainment for ozone and PM10. The violations of the air quality standards for ozone are primarily due to pollutant transport from the South Coast Air Basin. The Salton Sea Air Basin has been designated by the U.S. EPA as serious nonattainment for ozone (8-hour standard) and for PM10. An impact is potentially significant if concentration of emissions exceed the State or Federal Ambient Air Quality Standards. As mentioned previously, the area is not in compliance with these standards. The two primary pollutants are Ozone and PM10.

The SCAQMD has established significance thresholds for specific projects. These thresholds are shown in the Mass Daily Thresholds table below. Project effects would be considered significant if the long-term operational emissions due to combined stationary and vehicular emissions exceed these thresholds. Project air quality effects would also be considered significant if the emissions affect sensitive receptors such as schools or nursing homes, or if the project will conflict with the regional AQMP and/or local air quality plans.

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Table III-1

The following table illustrates SCAQMD's Air Quality Significance Thresholds:

Mass Daily Thresholds		
Pollutant	Construction	Operational
NO _x	100 lbs/day	55 lbs/day
PM ₁₀	150 lbs/day	150 lbs/day
SO _x	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
VOC	75 lbs/day	55 lbs/day

Source: Air Quality Analysis Guidance Handbook, Chapter 5. Prepared by the South Coast Air Quality Management District.
www.aqmd.gov/ceqa/hndbk.html

Project Construction Activities

Construction activities for the proposed development can be expected to contribute to short term air quality impacts; however, these activities are not expected to exceed the SCAQMD thresholds due to the required implementation of the of the City's Dust Control ordinance. The project is located within an Active Blowsand Zone, as a result, daytime winds in this area are predominantly onshore winds that blow from the northwest to the southeast.

Future construction will be required to adhere to the City's Fugitive Dust and Erosion Control policies and ordinance to minimize potential construction related emissions. An approved Fugitive Dust (PM₁₀) Control Plan will be required prior to issuance of a grading permit. The mitigation plan will include methods of construction phasing, maintaining/cleaning the construction equipment, soil stabilization and wind fencing. Proposed permanent landscaping, paving and masonry walls for future development will help to reduce the future levels of fugitive dust in the area. Construction activities will have a less than significant impacts.

Project Operations

Under the mixed-use land designation, future development is anticipated to utilize onsite residential, commercial and retail uses to reduce motor vehicle use. The primary contributor of Criteria Air Pollutants is motor vehicle combustion engine use. Reduced vehicle trips through mixed use zoning, and development of a Specific Plan to facilitate site specific pedestrian and vehicular circulation are anticipated to reduce impacts relative to projects that have one standard land use

As mentioned previously, potential entitlements would only be approved on the basis of further CEQA analysis at the project-specific level, including the topics of Greenhouse Gas Emissions analysis and compliance with AB-32, SB-375, and other adopted state legislation and requirements. Less than significant impacts are expected relative to the Annexation of the subject property into Rancho Mirage.

Cumulative Impacts: None

Mitigation Measures: None

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- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

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Discussion:

NOx (Nitrous Oxides) and ROG (Reactive Organic Gasses) are ozone precursors and the region is designated nonattainment for the one-hour ozone standard and serious nonattainment for the 8-hour ambient air quality standard. Adherence to the SCAQMD rules and regulations and compliance with locally adopted AQMP and PM10 State Implementation Plan control measures will help reduce the pollutant burden of each cumulative development. Appropriate mitigation measures for cumulative impacts are required by the City of Rancho Mirage.

As mentioned, relative to PM10 threshold exceedance, construction associated with a future project will be required to adhere to the City's Fugitive Dust and Erosion Control policies and ordinance to minimize potential construction related emissions. An approved Fugitive Dust (PM10) Control Plan will be required prior to issuance of a grading permit. The mitigation plan will include methods of construction phasing, maintaining/cleaning the construction equipment, soil stabilization and wind fencing. Proposed permanent landscaping, paving and masonry walls for future development will help to reduce the future levels of fugitive dust in the area. Construction activities are anticipated to have less than significant impacts.

Since project-related emissions would be limited by the review process to ensure compliance with the Air Quality Management Plan, the *Coachella Valley PM10 SIP*, and all SCAQMD Air Quality Significance Thresholds Less than significant impacts are anticipated to result from the project.

Cumulative Impacts: None

Mitigation Measures: None

- d) Expose sensitive receptors to substantial pollutant concentrations?

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Discussion:

Land uses considered by the SCAQMD to be sensitive receptors include residences, long-term health care facilities, schools, rehabilitation centers, playgrounds, convalescent centers, child care centers, retirement homes, and athletic facilities. The project is not located near populated areas or any existing facility considered to be a sensitive receptor; however, future residential development in the project's surroundings might change those conditions. The project's proposed pre-zoning designation of Regional Interstate Commercial is not anticipated to expose sensitive receptors to substantial pollutant concentrations. Less than significant impacts are anticipated.

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Cumulative Impacts: None

Mitigation Measures: None

- e) Create objectionable odors affecting a substantial number of people?

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Discussion:

Objectionable odors can be associated with toxic or non-toxic emissions. A project could generate a significant impact related to objectionable odors if it would result in the emissions of any material which causes nuisance to a considerable number of persons or endangers the comfort, health or safety of any person.

The proposed project is not located near an area occupied by a substantial number of people or near a site considered to be a sensitive receptor. This project involves only a shift in the jurisdictional boundaries from Riverside County to Rancho Mirage. No development activity will result from this project. Should an applicant wish to apply for planning entitlements on the subject property in the future if this project is approved, entitlements would be granted by the City of Rancho Mirage. Prospective requests for entitlement will be evaluated on a project-specific basis and additional project specific environmental review will be required. It is anticipated that future construction activity under either jurisdiction would require the operation of equipment which may generate exhaust from either gasoline or diesel fuel. Construction and development will also require the application of paints and the paving of roads which could generate odors from materials such as paints and asphalt.

Future residential development would involve minor, odor-generating activities, such as backyard barbeque smoke, lawn mower exhaust, and application of exterior paints from home improvement. These types and concentrations of odors are typical of residential communities and are not considered significant air quality impacts.

In the case of commercial, proposed commercial uses have the potential to generate odors depending upon the nature of the operations and actual uses proposed. It is not anticipated that the majority of commercial uses would, however, generate significant or objectionable odors. Any businesses having the potential to emit odors would have to comply with SCAQMD Rule 402 which prohibits odors from becoming a public nuisance. It is speculative at this point to address objectionable odor issues without specific uses being proposed, and this project will not result in the issuance of any planning entitlement. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

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IV. BIOLOGICAL RESOURCES -- Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? ☐

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Discussion:

The annexation area of approximately 193 acres is a triangular-shaped expanse of predominantly vacant land generally located north of Rancho Mirage and east of Cathedral City. Project implementation would result in the site's annexation to Rancho Mirage, extending the City's boundary farther north than the current extent. An eastern portion of the area has previously been disturbed by construction activities related to the Bob Hope Drive/Interstate 10 interchange. The site is separated from the developed and undeveloped land to the north by the Union Pacific Railroad corridor and the Interstate 10 freeway. Land to the east is occupied by the unincorporated community of Thousand Palms, now part of the Cathedral City Sphere of Influence. Vacant and developed properties within the Agua Caliente Band of Cahuilla Indian Reservation (Section 24) are located to the south, including the *Agua Caliente Casino, Resort, and Spa*. To the west of the annexation area within Section 14 is vacant land and the site of a PSUSD High School currently under construction. Farther west is the City of Cathedral City.

Vacant land represents a majority of the annexation area. It is characterized by a generally flat terrain with a slight slope from west to east. No substantial drainages traverse the site and no potential jurisdictional waters or wetlands appear to be present. This land supports various desert dunes and sand fields as well as scattered vegetation. As indicated in the Conservation and Open Space Element of the Rancho Mirage General Plan, Sonoran Desert creosote bush scrub is the common plant community occurring in the desert dunes and sand fields that characterize the subject property. The Sonoran creosote brush scrub is considered to be the most widespread vegetation type in the Colorado Desert.

The project property lies within the boundary of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). According to the Habitat Conservation Plan maps, the site is not designated for conservation purposes and there are no other recognized significant biological resources on the property or in its immediate surroundings. The Thousand Palms Conservation Area, located approximately 2 miles to the northeast, is the nearest conservation area to the property under the CVMSHCP.

The proposed project would result in the jurisdictional change from the County of Riverside to the City of Rancho Mirage. Development of the property would occur under the proposed Regional Interstate Commercial (R-I-C) zoning concept for the City of Rancho Mirage instead of the existing Public Facilities (PF) and Medium Density Residential (MDR) land use designation under the Riverside County General Plan. This prospective development would be subject to project specific environmental analysis to identify and minimize any potential impacts to native vegetation and habitat. Less than significant impacts to candidate, sensitive or special status species are anticipated to result from the proposed annexation.

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Cumulative Impacts: None

Mitigation Measures:

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

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Discussion:

The annexation area does not contain or is near any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service. No blue-line stream exists within the property or in the immediate surroundings as depicted in the United States Geological Survey topographical map (Cathedral City, California 7.5-Min. Quadrangle) and in the National Hydrological Dataset. Minor surface drainages caused by storm runoff might exist on-site. The project lies within the boundaries of the CVMSHCP, but not in a conservation area. The site forms part of the Sonoran Creosote brush scrub vegetation community, but is situated outside any County, City or Tribal conservation area.

The proposed annexation is not anticipated to result in direct adverse effects on any riparian habitat or other sensitive natural community identified in local, regional or state plans, including the regulations by the California Department of Fish and Game or the United States Fish and Wildlife Service. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

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Discussion:

No federally protected wetlands occur within or in the immediate surroundings of the project site according to the National Wetlands Inventory from the United States Fish and Wildlife Service (USFWS). There are also no marshes, vernal pools or other wetland-related features in the immediate project surroundings. The proposed jurisdictional change will not involve any direct activities, such as

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removal or filling, that would have an adverse effect on any resources related to this conservation area of the local conservation plans. Development activities subsequent to the annexation will be subject to further environmental analysis based project-specific design considerations. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

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Discussion:

No specific migratory wildlife corridors or native wildlife nursery sites are found on the annexation area or its immediate surroundings based on the RCIP General Plan, Rancho Mirage General Plan, Coachella Valley MSHCP, and Tribal HCP. The neighboring land includes vacant properties, regional transportation corridors, and various sites where future development is anticipated. Moreover, the annexation process is not anticipated to interfere with the goals or policies under the Coachella Valley MSHCP or the Tribal HCP, including the movement of any native resident, migratory fish or wildlife species. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

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Discussion:

The proposed jurisdictional change would result in the incorporation of approximately 193 acres (project site) into the City of Rancho Mirage. Any potential project would be required to be developed in accordance with the City of Rancho Mirage General Plan and would be required to comply with relevant policies and ordinances relating to biological resources within the City, including ordinances that limit development within mountainous lands and hillside areas. Since the annexation area is not within mountainous or hillside terrain, tree preservation policies would not be applicable. Impacts from the annexation are anticipated to be less than significant.

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Mitigation Measures: None

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f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

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Discussion:

The annexation area lies within the area of the Coachella Valley Multiple Species Habitat Conservation Plan, but not within a designated conservation area. The project is also adjacent to Sections 14 and 24, which form part of the Agua Caliente Reservation and are therefore subject to the requirements of the Tribal Habitat Conservation Plan. The proposed annexation action is not anticipated to conflict with any existing habitat conservation plan at the local, regional or state level. Subsequent development will be subject to further environmental analysis and the applicable requirement of the Local Development Mitigation Fee (LDMF) per acre of disturbance. Less than significant impacts are anticipated to result from the annexation.

Cumulative Impacts: None

Mitigation Measures: None

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

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Discussion:

Vacant land comprises a majority of the annexation area and eastern portion of the site has previously been disturbed by construction activities related to the recently completed Bob Hope Drive/Interstate 10 interchange project. There are no known or observable historic resources as defined in Section 15064.5 of the CEQA Guidelines that would be adversely affected by the proposed jurisdictional change. This includes known or observable objects, buildings, structures, sites, areas, places, records, or manuscripts which a lead agency would determine to be historically significant.

The City of Rancho Mirage has prepared an intensive level survey of historic resources in the City. This Inventory included properties listed in the National Register of Historic Places, the California Register of Historical Resources, California Registered Historical Landmarks, California Points of Historical Interest, and properties reviewed by OHP as part of a historic resources survey or an environmental review. Annexation of the subject land will not encompass the sites of the surveyed resources or any other structure, object or landmark that could be considered potentially historic. Moreover, the annexation area is not located on or near a mapped historical resource as identified in the Multipurpose Open Space of the County's General Plan.

At such a time when development is proposed on the subject property, a Cultural Resources Inventory shall be conducted by a qualified professional as a part of the environmental analysis for any proposed planning entitlements. The proposed project only involves the annexation policy action of the subject

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property and does not involve approval of any development entitlements. No impacts to historical resources are anticipated to result from the project.

Cumulative Impacts: None

Mitigation Measures: None

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

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Discussion:

In the Multipurpose Open Space Element of the RCIP General Plan, archeological resources are described as cultural resources, such as structures or objects that provide evidence to past human activity. They are important for scientific, historic, and/or religious reasons to cultures, communities, groups or individuals. The Relative Archaeological Sensitivity in the County has been mapped utilizing three classifications: low, undetermined and high. Properties within high potential would include those listed or determined eligible for listing in the National Register of Historic Places. According to this map, the annexation area is not located on or near the listed sites with archeological sensitivity. As a result, the project is not anticipated to adversely affect such archeological resources in the region.

According to the Culturally Sensitive Areas map in the Rancho Mirage General Plan EIR, the annexation site does not encompass an area with known cultural sensitivity. However, Section 24 to the south is considered to have this potential. Moreover, the local tribal historic patterns of settlement, mobility throughout the region and areas of traditional use sustain a potential for the presence of archeological resources. The proposed annexation of approximately 193 acres does not involve approval of any development entitlements. As a result, ground disturbing activities are not expected at this time. Future construction on-site would be subject to the required to undergo further environmental analysis. Requiring a project-specific cultural resource assessment would reduce the potential impacts from future development by identifying and cataloging any discovered cultural resources as well as providing project-level mitigation measures. Less than significant impacts to archeological resources are anticipated to result from the annexation.

Cumulative Impacts: None

Mitigation Measures: None

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

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Discussion:

As described in the RCIP General Plan, paleontological resources are the fossilized biotic remains of ancient environments. They are valued for the information they yield about the history of the earth and its past ecological settings. The level of potential for finding paleontological resources is mapped in the Paleontological Sensitivity Resources map under the Multipurpose Open Space Element of the County's

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General Plan. This map is said to be used in the environmental assessment of development proposals and the determination of required impact mitigation. According to this map, the entire annexation area and its general surroundings are located in an area with Low potential for finding paleontological resources. In addition, the project site is not underlain by the area known to have been part of the Ancient Sea of Cortez or Lake Cahuilla according to public GIS records from the Redlands Institute. Less than significant impacts are anticipated to result from project implementation.

Cumulative Impacts: None

Mitigation Measures: None

d) Disturb any human remains, including

those interred outside of formal cemeteries? ☐



Discussion:

As previously described, the proposed annexation would involve land within close proximity of the Agua Caliente Indian Reservation, including Section 24 adjacent to the south across Ramon Road and Section 14 adjacent to the west. Moreover, Section 12 within the Reservation is situated approximately one-third mile to the north. As a result, the proposed jurisdictional change has the potential to encompass interred human remains found outside of formal cemeteries due to the local tribal historic patterns of settlement and mobility throughout the region; however, the site would remain undisturbed throughout the annexation process until subsequent development is entitled following further project-specific environmental analysis and monitoring.

The California Health and Safety Code, Section 7050.5, and the CEQA Guidelines Section 15064.5 require that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlay adjacent remains, until the County Coroner has examined the remains. If the coroner determines the remains to be Native American, or has reason to believe that they are those of a Native American, the coroner shall contact by telephone within 24 hours the Native American Heritage Commission. In addition, any person who willingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority is guilty of a misdemeanor.

Pursuant to the mentioned California Health and Safety Code, proper actions shall take place in the event of discovery or recognition of any human remains during project construction activities. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

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VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

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Discussion:

According to various records on the subject referenced below, there are no known active faults or fault zones present on the annexation area or in the immediate surroundings. However, multiple fault zones are known in the general vicinity.

According to the Safety Element of the Rancho Mirage General Plan, the nearest seismic fault to the project is a concealed segment of the Garnet Hill Fault, located approximately 1 mile to the northeast. Based to the official GIS Alquist-Priolo Maps and the Riverside County database on Seismic Faults and Fault Zones, the nearest fault line and fault zone to the project site is a segment of the San Andreas Fault system, located approximately 2.5 miles to the northeast. The mapping of these seismic features was authored as part of the Alquist-Priolo and Riverside County studies.

The proposed annexation would place additional land within the jurisdiction of Rancho Mirage, but property with seismic faults and seismic zones would not be incorporated. Since ruptures from seismic activity tend to affect a limited area near surface traces, the annexation area would not be affected. Prospective development on-site will be designed in accordance with the California Building Code and any requirements set forth by site-specific geotechnical studies. Since the proposed annexation does not include the approval of any development entitlements, the project would not expose people or structures to the hazards associated with seismic rupture. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- ii) Strong seismic ground shaking?

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Discussion:

Strong seismic ground shaking is considered a prominent geologic hazard to people and structural development throughout the City and region. As a result of being in an active seismic expanse, the project site has been subject to past ground shaking by local and regional faults that transect the region. Seismic shaking from these faults is expected to produce ground accelerations during the design life of the project.

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The proposed jurisdictional change will encompass land that is subject to seismic ground shaking. However, the annexation does not involve the approval for development entitlements. Future construction on-site would be subject to applicable State of California, County of Riverside, and City of Rancho Mirage regulations on seismic hazard mitigation. Less than significant impacts are anticipated to result from the annexation.

Cumulative Impacts: None

Mitigation Measures: None

iii) Seismic-related ground failure,
including liquefaction?

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Discussion:

The annexation area is situated in an area underlain by Holocene alluvial plain deposits according to the Generalized Geologic Map in the Rancho Mirage General Plan EIR. According to the Safety Element of the Rancho Mirage General Plan, the annexation area is located in a part of the City with "Low" liquefaction susceptibility. Groundwater less than 50 feet below ground elevation is a contributing factor for liquefaction; however, groundwater in this area is greater than 100 feet. The seismically induced settlement susceptibility is determined to be high for the property according to the same source. The project will result in the incorporation of approximately 193 acres with those generalized geologic conditions. Prospective development will ensure that structures or people are not exposed to the potential adverse effects of ground settlement or liquefaction as part of a separate project-level environmental analysis and warranted mitigation determined at that time. Less than significant impacts related to seismic ground failure are anticipated to result from the proposed annexation.

Cumulative Impacts: None

Mitigation Measures: None

iv) Landslides?

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Discussion:

Based on the Safety Element of the City General Plan, annexation site lies in an area with a low susceptibility of being impacted by rock falls or seismically induced land sliding. Additionally, the site is located away from hillside and mountainous areas where numerous rock falls and land slides would be expected to occur during an earthquake. The project is situated on relatively flat ground and not immediately adjacent to any significant natural slopes or hillsides. Man-made slopes related to the interchange are engineered. Risks associated with slope instability are considered low. No impacts are anticipated to result from project implementation.

Cumulative Impacts: None

Mitigation Measures: None

b) Result in substantial soil erosion or the
loss of topsoil?

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Discussion:

Soil erosion can be described as the removal of earth materials by moving water, wind, or ice. Sedimentation is the depositing of sand and other earth materials carried by the process of erosion. Topographic and weather conditions in the City and Coachella Valley make erosion and sedimentation significant geologic hazards in the area.

According to the United States Department of Agriculture (USDA) – Soil Survey of Riverside County, Coachella Valley Area, a majority of the project is underlain by Myoma fine sand, 0 to 5 percent slopes (MaB). This soil is typically formed on level to gently sloping alluvial fans. A smaller portion of the annexation area is deemed to be underlain by Coachella fine sand, hummocky, 2 to 5 percent slope (CpB). This soil is also formed on gentle slopes and is often found around bushes, weeds, fence rows, or tree rows.

The Wind Erosion Hazard Zones map in the City General Plan indicates that a majority of the site has a severe wind erosion hazard. The category applies to areas exposed to erosive winds where the soils show distinct evidence of wind removal and/or accumulation in hummocks 24 to 48 inches high. A northern portion of the annexation area is considered to have a moderate wind erosive hazard, which applies to areas partially protected from erosive winds where the soils show evidence of wind removal and/or accumulation in hummocks up to 24 inches high and all areas with fine-to medium-grained soils that are protected from erosive winds. Erosion caused by moving water is not evident and there are no significant defined drainage patterns on-site.

The proposed jurisdictional change would incorporate land into the City of Rancho Mirage with moderate to severe wind erosion hazard and low susceptibility caused by water-based erosion. Future development will be subject to a project-level environmental analysis. Considerations of the site's soil conditions as well as any warranted mitigation measures will be determined at that time. By not involving the approval of any development entitlements as part of this project, less than significant impacts are anticipated to result from the annexation.

Cumulative Impacts: None

Mitigation Measures: None

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

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Discussion:

Expansive soils are characterized as being fine-grained, such as silts and clays that may contain variable amounts of expansive clay minerals. As a result of changes in moisture content, these minerals can undergo significant volumetric changes, including shrinking and swelling. The changes can exert stress on buildings or loads placed on these soils. The proposed annexation property has the potential to

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encompass expansive soils. Approval of future development entitlements will be subject to project-specific geotechnical studies to determine the necessary design considerations. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

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Discussion:

The project would result in the incorporation of land where wastewater (sewer) services are provided by the Coachella Valley Water District. Therefore, considerations regarding the soil's capacity to support septic tanks or alternative waste water disposal systems are not relevant to the proposed annexation. Prospective development would be required to connect to the Sanitary Sewer System, at which time project-level environmental analysis would be required. No impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

VII. GREENHOUSE GAS EMISSIONS --Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

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Discussion:

Greenhouse gases (GHG) are a group of gases that trap solar energy in the Earth's atmosphere, preventing it from becoming too cold and uninhabitable. Common greenhouse gases in the Earth's atmosphere include: water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone, and to a lesser extent chlorofluorocarbons. Carbon dioxide is the main GHG thought to contribute to climate change. Carbon dioxide reflects solar radiation back to Earth, thereby trapping solar energy and heat within the lower atmosphere. Human activities (such as burning carbon-based fossil fuels) create water vapor and CO₂ as byproducts, thereby impacting the levels of GHG in the atmosphere.

To address the long-term adverse impacts associated with global climate change, implementation of *The Governor's Executive Order S-3-05* would reduce greenhouse gas (GHG) emissions in California 80 percent below 1990 levels or 90 percent below current levels by the year 2050. Achieving this objective would contribute to efforts being made around the globe to stabilize the global climate by capping GHG concentrations.

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With the passage of the California Global Warming Solutions Act of 2006 (Assembly Bill 32) in California, environmental documents for projects pursuant to CEQA are required to analyze greenhouse gases and assess the potential significance and impacts of GHG emissions. However, there is currently no statewide adopted threshold for GHG emissions. Although the SCAQMD has adopted an interim significance threshold for GHG emissions, it applies only to those industrial (stationary source) projects where the SCAQMD is the lead agency.

The proposed annexation project does not involve construction or any modification to the property. Future development on-site will occur in accordance with the proposed Regional Interstate Commercial (R-I-C) zoning designation and will be subject to a future Greenhouse Gas Emissions analysis to assess the potential impacts and to identify the project-specific mitigation measures. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

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Discussion:

California's Global Warming Solutions Act of 2006 (AB32) required the CARB to establish a greenhouse gas (GHG) emissions cap for the year 2020 and adopt mandatory reporting rules for significant sources of GHG. The SCAQMD adopted an interim GHG significance threshold for stationary/industrial sources on December 5, 2008 which applies to projects where the SCAQMD is the lead agency. The proposed annexation is not anticipated to conflict with the plan and policies established under Assembly Bill 32, Senate Bill 375 or Senate Bill 97. The project area is situated within the City of Rancho Mirage's Sphere of Influence. It serves as a logical extension where future development, design and service impacts can be better assessed under the City's jurisdiction. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

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VIII. HAZARDS AND HAZARDOUS MATERIALS --Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

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Discussion:

Hazardous materials are transported through the County and City of Rancho Mirage along the Union Pacific Railroad Corridor, Interstate 10, Ramon Road, Bob Hope Drive and other local roads. Arterial streets are the preferred truck routes because they minimize the exposure of residential uses from the impacts that could occur from a hazardous material accident within a local neighborhood. Designated truck routes in Rancho Mirage include Ramon Road, Dinah Shore Drive, Gerald Ford Drive, Monterey Avenue, and Highway 111 as well as portions of Bob Hope Drive, Frank Sinatra Drive, and Country Club Drive. This will not change as a result of project implementation. The mixed use nature of the proposed Regional Interstate Commercial zoning concept may include a residential component as part of future potential development, but the project-specific design criteria and considerations on the routine transport, use, or disposal of hazardous materials would be factored in a manner that would render less than significant impacts. The annexation action is expected to result in less than significant impacts related to this subject.

Cumulative Impacts: None

Mitigation Measures: None

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

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Discussion:

This project site is proposed to be pre-zoned with a flexible range of commercial and mixed uses, which may include a residential component. Related to the commercial uses, the existing solution to reducing foreseeable accident conditions involving the release of hazardous materials is through the enforcement of stringent regulations that govern the management of hazardous materials. Regarding the residential component of the future development, significant hazards to the public or the environment are not expected. Less than significant impacts are anticipated to result from the annexation and directly related policy actions.

Cumulative Impacts: None

Mitigation Measures: None

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- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

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Discussion:

The annexation area does not encompass or is located within one-quarter mile of any existing or proposed school. The nearest existing school facility to the site is Lindley (Della S.) Elementary School, located approximately 0.7 miles to the northeast. PSUSD High School No. 4 is under construction at approximately one-half mile to the west of the annexation area. The annexation process is not anticipated to impact the mentioned school facilities through the emission or handling of hazardous materials or substances. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

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Discussion:

According to the internet-based information resources compiled under Government Code 65962.5 and subsections, the project site is not listed as a hazardous material site or as a site with environmental concerns or records. As a result, the proposed annexation will not encompass land under those conditions. No impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

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Discussion:

The project is not located within two miles of an airport. The nearest airport facility is The Palm Springs International Airport, located approximately 4 miles to the west. No impacts are anticipated related to this issue.

Cumulative Impacts: None

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Mitigation Measures: None

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

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Discussion:

The project is not within the vicinity of a private airstrip. No impacts are expected related to this issue.

Cumulative Impacts: None

Mitigation Measures: None

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

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Discussion:

The proposed annexation does not result in the approval of development or operations without further environmental review at the project level. The specific development proposal's potential impacts to emergency response or evacuation procedure plans will be determined at that time. Less than significant impacts are anticipated to result from the annexation.

Cumulative Impacts: None

Mitigation Measures: None

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

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Discussion:

The project is not adjacent to or intermixed with wildlands. According to the Fire Threat map in the Safety Element of the City of Rancho Mirage General Plan, the annexation area is moderately susceptible to fire threats; however, the citywide historical record on the wildland fire hazards is relatively low. Therefore, the project's incorporation of land with the recognized moderate fire threat is not anticipated to have less than significant impacts.

Cumulative Impacts: None

Mitigation Measures: None

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IX. HYDROLOGY AND WATER QUALITY -- Would the project:

- a) Violate any water quality standards or waste discharge requirements?

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Discussion:

The annexation area is predominantly undeveloped and project implementation would not result in its disturbance until a future project is proposed under the jurisdiction of Rancho Mirage, at which point further environmental analysis would be required.

Future development would have the generalized potential to impact the quality and quantity of runoff to the proximate receiving waters; however, complying with the existing and future water quality standards and waste discharge requirements should minimize the impacts to a less than significant level. The construction-related impacts would be mitigated by complying with the Construction General Permit (State Water Resources Control Board Order No. 2009-0009-DWQ) under the National Pollution Discharge Elimination System (NPDES). Permit coverage and regulations would apply to construction activities disturbing one acre or greater. The required good housekeeping, temporary erosion control and pollution prevention measures will prevent construction-related impacts to water quality generally caused by soil erosion and contamination. Adhering to the adopted dust control regulations will also support the impact minimization.

To address post-construction runoff impacts, the design of future development on-site would be in part regulated under the Municipal Separate Storm Sewer System (MS4) within the Whitewater River Watershed (Order No. R7-2008-0001 and NPDES No. CAS617002). The source control, site design and treatment control Best Management Practices (BMPs) required for the future project would ensure that the proximate receiving waters (Whitewater River and Coachella Valley Stormwater Channel), are not adversely impacted by project pollutants.

The proposed annexation and related policy actions will not violate existing regulations related to water quality and waste discharge. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

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Discussion:

As discussed throughout this document, construction and operation within the annexation area will warrant further environmental analysis when a specific project is proposed. The annexation process that is the subject of this assessment would not provide any form of development entitlements. Future development would likely be required to comply with the City's Water Efficient Landscape Ordinance, as well as the standard conditions of approval and conditions set forth by the Coachella Valley Water District that ensure the most efficient use of water resources. No impacts to groundwater supplies are anticipated to result from the annexation.

Cumulative Impacts: None

Mitigation Measures: None

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

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Discussion:

According to a review of the National Hydrography Dataset (NHD) and a series of United States Geological Survey topographic maps, including the Cathedral City, California 7.5-min quadrangle, the site does not contain any streams, rivers or other substantial drainage features. Therefore, project implementation, as defined by the scope of the project description, would not result in the alteration of any existing stream course in a manner which would cause a substantial increase in erosion or siltation. Storm water pollution prevention BMPs during construction and a series of required water quality measures under a project-specific WQMP would help ensure that future development did not generate substantial erosion, pollution or sedimentation. Those measures would be guided in part by a project-specific hydrology report and grading plan review and approval by the City among other related studies.

Substantial erosion or siltation on- or off-site will not occur as a result of the annexation. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

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- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

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Discussion:

As previously mentioned, the site contains no streams or rivers. A majority of the project site is presently vacant with scattered native and invasive vegetation. There is no evidence suggesting that "waters of the United States" or surface flows cross the property. The proposed jurisdictional change and related policy actions, as outlined in the project description, will not alter the drainage pattern or hydrologic regime of any existing streams or washes in the vicinity. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

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Discussion:

The jurisdictional boundary change resulting from project implementation would not directly create the physical changes to contribute runoff because development entitlements are not part of the project.

Prospective development on-site has the generalized potential to increase the amount of impervious surfaces and thereby increase the amount and speed of urban runoff; however, its implementation would be required to undergo further environmental analysis based on project-specific design information. By adhering to the construction-related and post-construction standards for runoff water quality and quantity, including the City's stormwater retention requirements, the project would minimize those related impacts. At the construction stage, implementation of erosion control BMPs would occur under a required Storm Water Pollution Prevention Plan (SWPPP) for projects of one acre or greater. At the post-construction level and throughout the life of the development, a strategy of source control, site design and treatment control BMPs under a project-specific WQMP would compliment the impact minimization.

Less than significant impacts to runoff and runoff-related pollution are anticipated to result from the annexation.

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Cumulative Impacts: None

Mitigation Measures: None

- f) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? ☐ ☐ ☐ ☒

Discussion:

According to the Federal Emergency Management Agency (FEMA), the project site is included in Flood Insurance Rate Map (FIRM) Number 06065C1585G (Dated August 28, 2008). The FIRM indicates that the property is included in Flood Zone X. This designation applies to areas protected by levee from the 0.2% annual chance floodplain or to areas with average depths of less than one foot or drainage areas less than one square mile. As a result, neither the project or nor future development on-site would place housing or other project-related structures within the 100-year flood hazard zone, as mapped in FIRM Number 06065C1585G (Dated August 28, 2008). No impact is anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? ☐ ☐ ☐ ☒

Discussion:

The project site lies within a Flood Zone X as illustrated in FIRM No. 06065C1585G (Dated August 28, 2008). These flows are considered Moderate to Low-Risk. The project does not contain major drainage paths, such as those that would indicate flood flows. Accordingly, the project will not place structures within a 100-year flood area. No impact is anticipated to result from the project.

Cumulative Impacts: None

Mitigation Measures: None

X. LAND USE AND PLANNING - Would the project:

- a) Physically divide an established community? ☐ ☐ ☒ ☐

Discussion:

The project primarily consists of vacant land adjacent to undeveloped and developed land. The site occurs north of the existing City of Rancho Mirage boundary in an area previously determined to serve as the logical and orderly extension of the City. In the vicinity of the project, the nearest residential uses

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or populated place is the Mission Hills Country Club, located at the southwest corner of Ramon Road and Los Alamos Road. Residential uses are also present at approximately 1 mile to the west in the City of Rancho Mirage and approximately 1 mile to the east in the unincorporated community of Thousand Palms. The *Agua Caliente Casino, Resort and Spa* is located adjacent to the project at the southeast corner of Bob Hope Drive and Ramon Road. As a result, project implementation would not physically divide an existing community. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

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Discussion:

The annexation area's current General Plan land use designations under the Riverside County Integrated Plan (RCIP) are Medium Density Residential (MDR) and Public Facilities (PF). The Medium Density Residential provides for the development of conventional single family detached houses and suburban subdivisions. Limited agriculture and animal-keeping uses, such as horses, are allowed within this category. The density range is 2.0 to 5.0 dwelling units per acre. The Public Facilities designation provides for the development of various public, quasi-public, and private uses with similar characteristics, such as governmental facilities, utility facilities. The Riverside County zoning designation is Controlled Development Areas (W-2-20). Single family dwellings and a wide range of facilities are allowable within this W-2-20 designation.

The City of Rancho Mirage Sphere of Influence designates a majority of the project property as Residential Medium Density (R-M). The remaining portion of approximately 6 acres is designated as Open Space Public Park (OS-PP). With an allowable density ranging from 0 to 4 dwelling units per acre, the R-M designation is described as appropriate for single-family residences and Planned Residential Developments (PRD's). The OS-PP designation is assigned to active recreation open space areas that are accessible by the general public, and are generally owned and maintained by the City or other public entity.

Project implementation would incorporate the subject area of approximately 193 acres into the jurisdiction of Rancho Mirage under a proposed Regional-Interstate-Commercial zoning concept, which is presently recognized as a suitable and orderly land use and zoning strategy considering its proximity to the various regional transportation corridors. A housing and open space component would form part future development under R-I-C, thus retaining the County and City's original preference for the site.

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Future development on-site would occur within the City's jurisdiction and consistent with the proposed zoning composition. Project implementation will not remove or alter land previously adopted for the purpose of avoiding or mitigating an environmental effect. Less than significant impacts are anticipated.

The project lies within the area encompassed by the Coachella Valley Multiple Species Habitat Conservation Plan, but outside of any Conservation Area. Future development will be imposed with the requirement to remit the applicable Local Development Mitigation Fee (LDMF). No conflicts with the CVMSHCP are anticipated, resulting in less than significant impacts.

Cumulative Impacts: None

Mitigation Measures: None

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

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Discussion:

The proposed annexation lies within the Coachella Valley MSHCP, but it does not encompass any portion of land within a Conservation Area. Therefore, project implementation would not result in a conflict with this conservation plan. Being adjacent to the Agua Caliente Indian Reservation also places the annexation area within close proximity to the Tribal Habitat Conservation Plan (HCP), but no portion of the plan area is encompassed. Furthermore, specific projects adjacent to Tribal HCP will be subject to review by the Tribe for additional consideration. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

XI. MINERAL RESOURCES -- Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

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Discussion:

According to the RCIP General Plan EIR, the entire project site and much of its surroundings are included in Mineral Resource Zone 3, which applies to areas where the significance of mineral deposits cannot be determined from the available data. Because the project site is located within MRZ-3, the economic viability of mining resources within the site is unknown at this time. Future development projects will require environmental review in accordance with CEQA, including assessment of potential mineral resource impacts. However, due to the existing conditions on-site and its location in the context of the jurisdictional boundaries and land uses, mining operations would appear to be incompatible. Since the proposed annexation would not include land with a known value for mineral resources, less than significant impacts are anticipated to result from this project.

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Cumulative Impacts: None

Mitigation Measures: None

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

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Discussion:

Locally important mineral resource recovery sites are not located on or near the proposed annexation area. No impact is anticipated.

Cumulative Impacts: None

Mitigation Measures: None

XII. NOISE -- Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

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Discussion:

Noise is defined as unwanted sound that disrupts normal activities or that diminishes the quality of the environment. It is usually caused by human activity that adds to the existing acoustic setting of a locale.

Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). The A-weighted scale is used to measure noise levels that better correspond to people's perception based on an adjusted range of frequencies. Noise sources occur in two forms: point sources, such as stationary equipment or individual motor vehicles, and line sources, such as roadway or railroad with a large number of stationary or mobile point sources. Several scales have been developed which address community noise levels. Those that are applicable to this analysis are the Equivalent Noise Level (Leq) and the Community Noise Equivalent Level (CNEL). Leq is the average A-weighted sound level measured over a given time interval. Leq can be measured over any given time period, but is typically measured for 1-minute, 15-minute, 1-hour, or 24-hour periods. CNEL is another average A-weighted sound level measured over a 24-hour period.

Existing Environment and Noise Setting:

The project site is primarily vacant land generally framed to the north and east by the Union Pacific Railroad and Interstate 10 and to the south by Ramon Road. Vacant land and the site of High School Number 4 under construction are found to the west. Furthermore, the Bob Hope/Interstate 10 interchange cross an eastern portion of the property. Residential and commercial uses are also located in the project's

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vicinity. While the undeveloped portions of the project site do not represent an existing and discrete source of noise, the existing surrounding uses (e.g. vehicular traffic and commercial operations) represent such sources.

Potential impacts on existing land uses stem mainly from the addition of future project-generated vehicles along site access roads. As expected, the greatest increases are expected in those areas subject to increased land use intensity. Any placement of sensitive land uses within the 65 dBA CNEL contours then represents a potentially significant impact and would require a separate noise study through the development review process to determine the level of impacts and required mitigation. The Noise Element indicates that exterior noise levels at residential locations should not exceed a CNEL of 65 dB while interior levels shall not exceed an annual CNEL of 45 dB in any habitable room. These issues will be considered when reviewing the permitted land uses and development of future projects on-site. No planning entitlements or construction will be a direct result of this proposed project. When a specific project is processed through the required procedure pursuant to Government Code and CEQA as well as a Development Plan to accompany the request for entitlement, further Noise analysis will be required and the Plans shall be consistent with the Noise Element of the Rancho Mirage General Plan. Less than significant impacts are anticipated from the annexation.

Cumulative Impacts: None

Mitigation Measures: None

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

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Discussion:

Groundborne vibration is an unusual environmental problem that can have the same detrimental psychological impacts as airborne disturbances. Groundborne vibration, also referred to as earth-borne vibration, can be described as perceptible rumbling, movement, shaking or rattling of structures and items within a structure. Groundborne vibration can generate a heightened disturbance in residential areas. These vibrations can disturb residential structures and household items while creating difficulty for residential activities such as reading or other tasks. Although groundborne vibration is sometimes perceptible in an outdoor environment, it is not as much of a problem as it is when this form of disturbance is experienced inside a building. Groundborne vibration can be measured in terms of amplitude and frequency or vibration decibels (VdB). Trains, buses, large trucks and construction activities that include pile driving, blasting, earth moving and heavy vehicle operation commonly cause these vibrations. Additional factors that influence the disturbance of groundborne vibration include distance to source, foundation materials, soil and surface types.

The project occurs on primarily vacant framed to the north and east by the Union Pacific Railroad, Interstate 10 and the Bob Hope Drive/Interstate 10 interchange. Ramon Road frames the property to the south. Existing sources of groundborne vibration originate from the vehicular traffic along these local and regional transportation corridors. The proposed project would result in the incorporation of land exposed to an existing level of groundborne noise. Future development entitlements would be analyzed

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for this topic to identify and minimize any potential impacts. Less than significant impacts are anticipated related to groundborne noise and vibration.

Cumulative Impacts: None

Mitigation Measures: None

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

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Discussion:

Ambient noise is the composite noise from all sources in a given context. Ambient noise level constitutes the normal or existing level of background noise for a given location. The annexation area may have a higher than usual ambient noise level due to the existing traffic volume along the or nearby Bob Hope Drive/Interstate 10 interchange, Ramon Road and Interstate 10. The Union Pacific Railroad line is identified in the Noise Element of the General Plan as an intrusive noise event occurring periodically and with a limited duration.

Project implementation would incorporate land with potentially higher than normal background noise due to its location. Considering these conditions and others to be explored in the future project-specific environmental analysis, development will likely be mitigated by a series of site design and construction parameters to ensure that people or the environment are not exposed to an increase in ambient noise levels. A less than significant permanent increase in ambient noise levels is expected to result from the project.

Cumulative Impacts: None

Mitigation Measures: None

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

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Discussion:

In consideration of the previously discussed conditions on the annexation property and the scope of the proposed project, which does not include the approval of development, less than significant impacts are anticipated in relation to a substantial temporary or periodic increase in ambient noise. Future analysis will be conducted to assess the specific impacts of development projects on-site.

See discussions in Sections XII (a) through XII (c).

Cumulative Impacts: None

Mitigation Measures:

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- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

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Discussion:

The project is not located within two miles of a public airport facility. The nearest airport facility to the site is the Palm Springs International Airport, located approximately 4 miles to the west. No impacts are anticipated related to this issue.

Cumulative Impacts: None

Mitigation Measures: None

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

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Discussion:

The project is not located within the vicinity of a private airstrip. No impacts are anticipated related to this issue.

Cumulative Impacts: None

Mitigation Measures: None

XIII. POPULATION AND HOUSING -- Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

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Discussion:

Project implementation would extend the City boundary to the north by incorporating approximately 193 acres currently within the Rancho Mirage Sphere of Influence. The lands known as the City's Sphere of Influence (SOI) are identified by the Riverside County Local Agency Formation Commission (LAFCO) as areas likely to be serviced or annexed by the City in the future. The City presently does not have regulatory control over these lands, but does have authority and responsibility to designate its preference for land use planning in the County land, which is reflected in the current Rancho Mirage General Plan. The City's General Plan Environmental Impact Report has considered the impacts of the City's Full SOI.

Future development would occur pursuant to a proposed zoning designation referred to as "Regional Interstate Commercial" (R-I-C). This designation would allow for a broad and flexible range of commercial and mixed uses, within a planned, freeway oriented business development environment.

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This prospective development would be subject to project-specific environmental review under the applicable guidelines and regulations of the California Environmental Quality Act (CEQA), at which time the potential project-specific impacts that would induce a substantial population increase would be identified and addressed as necessary. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

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Discussion:

The project site does not contain housing. No impact is anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

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Discussion:

No residential structures or populated areas will be directly or indirectly affected by the proposed improvements. No impact to people necessitating the construction of housing elsewhere is expected.

Cumulative Impacts: None

Mitigation Measures: None

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XIV. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

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Discussion:

A full range of fire protective services is provided by the Riverside County Fire Department, under contract with the City. There are two fire stations located in Rancho Mirage. The closest to the annexation areas is Station #69 located at 71751 Gerald Ford Drive. The second is Station #50, located at 70-801 Highway 111. Through the City's mutual aid agreement with the County, additional fire stations located in surrounding cities will be able to provide services in the event of a large scale emergency. The General Plan calls for a third station to be located in the City's sphere of influence south of I-10 to serve future development. Until then all development located in Section 13 would be served by Fire Station #69 on Gerald Ford. Fire service fees are paid through the General Fund, property tax, Community Facilities District and the City's fire tax.

Project implementation will incorporate land that in the future would require fire services. However, in order for development to occur an environmental assessment must be submitted to Rancho Mirage for processing the discretionary entitlements. Standard mitigation and conditions applied to new projects to offset the increased cost of providing services is participation in a Community Facilities District (CFD). The impacts caused by a project to be developed on the site would be offset through the increased revenue and fees generated by the development. As a result, sufficient revenue would be available for necessary service improvements to provide for adequate fire facilities, equipment and personnel upon implementation of the project consistent with the provisions of the General Plan. Less than significant

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impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

Police protection?

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Discussion:

Law enforcement protection is provided to the City of Rancho Mirage through a contractual agreement with Riverside County Sheriff's Department. The Sheriff's Department provides all municipal police services associated with a City police department such as criminal investigations, traffic enforcement and crime prevention. The Sheriff's Department is located on Gerald Ford Drive in the City of Palm Desert. Current patrol staffing consists of three deputies on day shift; evening shift and two deputies are on graveyard shift, Monday through Sunday. This is the equivalent of 80 hours per day of patrol time.

In addition to the 80 hours of patrol time, the City contracts two motorcycle deputies for traffic enforcement. Three additional deputies work the Special Enforcement Team (SET) and work together with the same SET divisions from neighboring cities. The City also employs volunteers that assist the Sheriff's Department, also known as "Citizens on Patrol Services" (COPS). They are trained by Riverside County Sheriff's Department in non confrontational methods, various police surveillance, police reporting, first aid and emergency preparedness. The Sheriff's Department serves approximately 17,180 residents and patrols 25 square miles of City streets.

The cost of providing police service comes through the General Fund and is supplemented by a Community Facilities District, which imposes a tax on each residential unit and commercial development. Services will be provided upon development of the annexed property and not at the time of project implementation because entitlements are not part of this project. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

Schools?

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Discussion:

The annexation site is within the boundary of the Palm Springs Unified School District (PSUSD). The district operates one elementary school for grades K-6 (Sunny Sands); Rancho Mirage High School is currently under construction and is projected to open in the Fall of 2013. Nellie Coffman Middle School in Cathedral City and Cathedral City High School also provide classes to the City. Future discretionary development entitlements on site would require the payment of the applicable school impact fees under SB 50. Payment of these fees would offset impacts from increased demand for school services associated with build-out of either City's General Plan, including the subject Amendment to the Rancho Mirage General Plan, by providing an adequate financial base to construct and equip new and existing schools. Potential impacts associated with school services would be reduced to a level that is less than significant. Compliance with payment of the School Impact Fee is mandatory and as such, does not constitute

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mitigation under CEQA. No other significant unavoidable adverse impacts related to Schools have been identified and the impact is considered to be less than significant.

Cumulative Impacts: None

Mitigation Measures: None

Parks?

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Discussion:

The proposed zoning for the entire annexation area is Regional Interstate Commercial (R-I-C); however, no development entitlements are included with this project. Prospective development would be subject to Development Impact Fees, which provide a mechanism for funding for public facilities, including parks, which are required to mitigate the impacts of new development in the City. Commercial development does not impact parkland as significantly as residential development, and the impact is considered to be less than significant.

A future Mixed Use project may contain residential units. To support the creation of parkland within the City of Rancho Mirage, the City institutes an "in lieu" of park fees for the acquisition and/or development of community parks and recreational facilities within the City. In Rancho Mirage, this "in lieu" of fee is placed upon new developments if no park area is provided, in whole or in part, within the subdivision. In addition to "in lieu" of park fees, developments are assessed a development fee on new development within the City to finance public facilities, including parks, under the City of Rancho Mirage Municipal Code.

Project implementation is not anticipated to result in the loss of existing or future park amenities. The future demand for park amenities on-site and in the general area north of Dinah Shore Drive would be addressed in part by a five-acre recreational space is centrally located within the adopted Section 19 Specific Plan, located approximately one half-mile to the southeast. The adopted Section 19 Specific Plan will allow for a mix of uses, including commercial, office, restaurant, entertainment, residential, hotel and open space.

Furthermore, to supplement its own recreational facilities, the City also participates in a joint-use agreement, a Memorandum of Understanding (MOU), with the cities of Palm Desert and Indian Wells, to develop regional recreational facilities that are available to Rancho Mirage residents. In addition, the City of Rancho Mirage General Plan includes two proposed park areas within the City's SOI. The cost of recreation facilities is based upon a formula of population and assessed value. The Existing Regulations in the Rancho Mirage General Plan EIR (page 5-263) would reduce potential impacts associated with park services to a level that is less than significant.

Cumulative Impacts: None

Mitigation Measures: None

Other public facilities?

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Discussion:

All necessary improvements to provide adequate facilities to future development would be identified and addressed in project-specific environmental analysis. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

XV. RECREATION

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

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Discussion:

The proposed pre-zoning is mixed use in nature and may include a residential component. The impact that residential development has on neighborhood, regional parks and other recreational facilities should consider the average age of the City's population and the fact that many residents live in gated communities containing private recreation amenities. The extent to which the City of Rancho Mirage can plan and implement parks, trails and other recreational facilities is related to the availability of funding.

The Quimby Act is a funding mechanism for parkland acquisition. Under this act, residential subdivisions must dedicate parkland or pay an in-lieu fee to enable the City to acquire a ratio of three (3) acres of parkland per 1,000 residents. The City collects Quimby Act in-lieu fees to generate funds for park acquisition and support. The Quimby Act does not provide dedication or fees for the City's trail system. The construction of parks and bicycle paths in Rancho Mirage is primarily funded by the City's development impact fee. The impact fee has been established to collect fees from new developments that create a need for public facilities such as parks. Other funding sources include state grant funds for bicycle paths and redevelopment funds for park and bicycle facilities. Upon implementation of the project design features, regulatory requirements, and standard conditions of approval, the impacts would be less than significant.

Commercial land uses do not significantly impact the use of neighborhood, regional parks or other recreational facilities. Employees may on occasion use parks during lunch, but the use and impact would be considered negligible. Although the City does not collect a Quimby Fee for commercial development, the City collects tax revenues and Development Fees on commercial projects, which would offset the impact to less than significant.

Cumulative Impacts: None

Mitigation Measures: None

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- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

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Discussion:

The project is a change in boundaries from one jurisdiction to another, and does not propose any development at this time, nor will any development be a direct result of project approval. Further environmental analysis will be required at such a time that the property owner wishes to request planning entitlements on the property. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

- a) Conflict with an applicable plan, ordinance or Policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

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Discussion:

The proposed project would result in a jurisdictional change for approximately 193 acres of land from the County of Riverside to the City of Rancho Mirage. Subsequently, the RCIP General Plan buildout with Public Facilities (PF) and Medium Density Residential (MDR) land uses intended for the subject property would instead occur under the guidance of the proposed Pre-zoning designation of Regional Interstate Commercial (R-I-C). Development under the R-I-C would be subject to further environmental analysis through the required CEQA process and through the City's design review process.

The project site is presently a vacant property located at the intersection "node" of Interstate 10 and Bob Hope Drive and Ramon Road. Both the I-10 intersection and the Ramon Road intersection with Bob Hope Drive are designated as "Critical Intersection" in the Rancho Mirage General Plan. The property is currently surrounded by existing roadways, vacant land and the *Agua Caliente, Casino Resort and Spa*.

No development will directly result from the proposed project. If the project is approved, it will allow the property owner or project applicant, to submit an application for a Specific Plan and Development Plans for further environmental review and discretionary approval. Street functional classification and geometrics pursuant to the Circulation Element of the General Plan will be continued along the project frontage.

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Rancho Mirage Circulation Element indicates that Ramon Road and Bob Hope Drive are projected at buildout to be Primary Arterials with a 110-125-ft right-of-way. These two roadways are constructed at their build out condition; any future development will be required to construct land uses in consideration of the existing capacities of both Bob Hope Drive and Ramon Road as well as the LOS of the associated intersections. Review and approval process of any specific plan will serve to limit traffic impacts associated with proposed uses. Projects will contribute traffic counts compliant with the capacity of the roadways or will provide mitigation to reduce impacts to less than significant.

The final design of the internal circulation and site access driveways will be subject to the review and approval of the City Traffic Engineer to ensure compliance with City access and design standards. The applicant is required to comply with City of Rancho Mirage requirements regarding the Bike/Golf Cart/Pedestrian path indicated along Bob Hope Drive adjacent to the project. Future applicants shall pay Transportation Uniform Mitigation Fees (TUMF) prior to the issuance of building permits. Following a series of mitigation measures, less than significant impacts are anticipated.

The annexation project will not increase in traffic in relation to the existing traffic load and capacity of the street system. Therefore, the project is consistent with the provisions as set forth in California Code of Regulations, Title 14, Division 6, Chapter 3 Section 15162.

Cumulative Impacts: None

Mitigation Measures: None

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

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Discussion:

The Riverside County Transportation Commission (RCTC) is the appointed county congestion management agency for the County of Riverside. The 2007 Congestion Management Program (CMP) is set forth to directly link land use, transportation, and air quality, thereby prompting reasonable growth management programs that will effectively utilize new transportation funds, alleviate traffic congestion and related impacts, and improve air quality.

The RCTC must designate a system of highways and roadways to include (at a minimum) all State Highway facilities within Riverside County and a system of "principal arterials" as the Congestion Management System (CMS). All State Highways within Riverside County have been designated as part of the Congestion Management Program (CMP) System of Highways and Roadways. Within the study area, Interstate 10 and Ramon Road are CMP facilities. Since deficiencies in the CMP System of Highways and Roadways identified during the annual process of monitoring the level of service must be mitigated when they occur, an evaluation must be undertaken of planned improvements needed to mitigate the deficiency. The construction of improvements at the I-10 and Bob Hope Drive interchange

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are expected to mitigate some deficiencies in the roadway system however because the Bob Hope Interchange is a newly developed facility, associated quantifiable traffic impacts are not conclusively documented at this time. It is the responsibility of local agencies, when reviewing and approving development proposals to consider the traffic impacts on the CMS.

The Coachella Valley Association of Governments (CVAG) has developed a Transportation Uniform Mitigation Fee (TUMF) that compliments the objectives of the Congestion Management Program (CMP). In addition, Rancho Mirage has adopted an approved TDM Ordinance. The City's association with CVAG includes cooperative efforts to achieve a regional transportation strategy which coordinates physical improvements, TUMF, TSM, TDM, public transit and issues of development affecting circulation. The City is in compliance with the Riverside County CMP, provided all developments participate in the TUMF program. Project implementation is not anticipated to conflict with the CMP. The project's TUMF fees will work to ensure that the levels of service standards are sustained at the acceptable levels.

In the future, when a Specific Plan is developed, further environmental analysis will be required. Thus, the project is consistent with the adopted Circulation Element of the General Plan which includes improvements necessary to maintain adequate levels of service in the City at build-out. Less than significant impacts are anticipated relative to the Annexation process.

Cumulative Impacts: None

Mitigation Measures: None

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

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Discussion:

The proposed project is not located near any airport facility. No impacts to air traffic levels, patterns or change in traffic location are anticipated to result from the proposed annexation.

Cumulative Impacts: None

Mitigation Measures: None

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

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Internal circulation for prospective development projects on-site will be required in a design manner that eliminate hazardous design features and dangerous intersections between the various structures and uses that will eventually be proposed. Since this project would not result in any development activity, there would be a less than significant impact. Adequate levels of service currently exist at all the City's intersections. Therefore, there would be no impacts to the circulation system or to emergency access as a result of the proposed project (Rancho Mirage General Plan EIR, page 5-302).

Cumulative Impacts: None

Mitigation Measures: None

e) Result in inadequate emergency access? ☐ ☐ ☒ ☐

Discussion:

The proposed project will provide adequate access to emergency response vehicles as conditioned by the Riverside County Fire Department. The project will include proper premises identification with legible site name, address numbers, and clear signage indicating the site access points. Applicable regulations based on the 2010 California Fire Code and National Fire Protection Association (NFPA) will also be adhered to in the site design. Any final site design will be subject to review and approval to ensure that adequate emergency access is provided.

Less than significant impacts are anticipated relative to the Annexation process.

Cumulative Impacts: None

Mitigation Measures: None

f) Result in inadequate parking capacity? ☐ ☐ ☒ ☐

Discussion:

This project is a change from Riverside County to Rancho Mirage jurisdictional boundaries. No development is proposed at this time. When a Specific Plan is processed for the applicable portions of the site, the City will require compliance with all City Ordinances and requirements including Section 17.26 (Parking and Loading Standards) to provide adequate on-site parking to meet the parking demand generated. Prospective development will also address on-site circulation as well as parking lot ingress and egress to be designed to minimize disruption to traffic flow on adjacent streets. With the implementation of project design features, regulatory requirements, and standard conditions of approval, there would be no impact resulting in inadequate parking capacity (Rancho Mirage General Plan EIR, page 5-302, Municipal Code Chapter 17.26).

The annexation process is not expected to generate significant impacts related to Parking Capacity.

Cumulative Impacts: None

Mitigation Measures: None

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g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

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Discussion:

According to the Circulation Element of the General Plan Ramon Road and Bob Hope Drive include designated Bike/Golf Cart/Pedestrian paths. The path along Ramon Road is indicated on the south side of the roadway which is not directly adjacent to the subject property. The path along Bob Hope Drive is indicated to be adjacent to the subject property. Prospective projects will include the required signage indicating the any associated pathways on its frontage with Bob Hope Drive. Project operations will not conflict with the adopted policies.

The SunBus Line provides fixed route transit along major corridors in the City, and the City continues to work with SunLine in regard to the placement of turn-outs and shelters along the routes. The bus lines cross City jurisdictional boundaries, and no impact to these lines will occur. The SunDial (dial-a-ride type) service provides low cost public transportation for ADA certified riders. The proposed project complies with adopted policies, plans and programs for alternative transportation (Rancho Mirage General Plan EIR, page 5-303). Future projects will include coordination with Sunline. Project operations will not conflict with the adopted policies.

Also of note, Riverside County does not provide specific standards related to any alternative pathways or alternative transportation providers along Ramon Road or Bob Hope Drive.

The Annexation Project does not include any alternative transportation improvements and less than significant impacts are anticipated relative to this process.

Cumulative Impacts: None

Mitigation Measures: None

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

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Discussion:

Wastewater Treatment is provided by the Coachella Valley Water District (CVWD), which provides service to the project site regardless of the City jurisdictional boundary. Future development would be required to meet the Regional Water Quality Control Board (RWQCB) and the project would be subject to compliance with the Rancho Mirage General Plan. The City of Rancho Mirage must comply with Federal water quality, waste discharge and total maximum daily load standards defined in the Clean Water Act. The proposed jurisdictional transfer is anticipated to result in less than significant impacts.

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Cumulative Impacts: None

Mitigation Measures: None

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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Discussion:

This project will cause its incremental "fair share" of increase in demand for water and increases in wastewater flow. The project does not by itself trigger the need for construction, but does incrementally add to the cumulative effect, which leads to the construction of additional treatment facilities or expansion of these facilities. These issues will be described in greater detail upon entitlement processing as required by the City. The Palm Desert Regional Wastewater Reclamation Plant No. 10 is the regional wastewater treatment facility serving the City of Rancho Mirage, and facility has a treatment capacity of eighteen million gallons per day. In 2005, when the General Plan EIR was completed, the Plant accommodated average annual sewage flows of thirteen million gallons per day.

In 2005 the Palm Desert Treatment Plant was able to accept an additional 5 million gallons of wastewater per day. As a result, the Palm Desert Treatment Plant would be able to accept additional wastewater from the City of Rancho Mirage from build-out of the General Plan. When the District decides that expansion of the plant is necessary, the expansion project would undergo separate environmental view under CEQA. The impact of this project on the construction of new water or wastewater treatment facilities or expansion of existing facilities would be considered less than significant.

Cumulative Impacts: None

Mitigation Measures: None

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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Discussion:

This project will not directly result in construction activity. Future development will be required to address stormwater on the site in a comprehensive manner. All development one acre or greater in size north of the Whitewater River channel is required to ensure that the existing and proposed stormwater drainage system would be designed to handle peak flows from a peak 100-year storm event as stated within Section 13.05.010 of the City's Municipal Code. Less than significant impacts are anticipated.

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Cumulative Impacts: None

Mitigation Measures: None

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

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Discussion:

Water services will be provided by Coachella Valley Water District (CVWD). The proposed project is a change in jurisdictional boundaries, and will not create an impact until planning entitlements are sought on the property. When specific development is proposed, the project-specific impacts will be evaluated. Specific water conservation measures will be identified at the time a development application is considered. No further mitigation would be required for this project at this time since additional discretionary entitlements are required.

Cumulative Impacts: None

Mitigation Measures: None

- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

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Discussion:

Sewage is collected by the City collector facilities and conveyed to trunk sewers owned and maintained by the CVWD. Existing conditions for the project site will not change. Build-out of the Rancho Mirage General Plan with the proposed annexation would result in an increase in flows to the Palm Desert Regional Wastewater Treatment Plant. According to the CVWD, the Palm Desert Regional Wastewater Treatment Plant has sufficient capacity to handle projected increases in wastewater flow due to implementation of the City of Rancho Mirage General Plan, which includes the assumptions for development within the City's Sphere of Influence. Future development on-site will be subject to project-specific analysis to identify and address any impacts to the capacity of existing wastewater treatment facilities. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

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- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

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Discussion:

Burrtec provides services to the project site under existing and proposed conditions in Rancho Mirage. Increases in population within the City of Rancho Mirage, including the subject site, result in increases in solid waste disposal needs and will be fully addressed in the required development process and environmental analysis.

Cumulative Impacts: None

Mitigation Measures: None

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

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Discussion:

The project will comply with the City, State and Federal statutes regulating solid waste. The project is not anticipated to hinder or impede future compliance. Related to solid waste, no impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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Discussion:

Based upon the information provided within this Initial Study, approval and implementation of the proposed annexation is not anticipated to substantially degrade biological resources. Future developments occurring on-site will be subject to the standard conditions of approval and regulatory requirements. The project does not appear to have the potential to significantly degrade the overall quality of the region's environment or substantially reduce the habitat of a wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Less than significant impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: See previous sections.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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Discussion:

As discussed in the respective issue areas of this study, the proposed project is found to be adequate and consistent with existing federal, state and local policies. Approval and implementation of the proposed project will result in less than significant impacts related to cumulatively considerable impacts.

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Mitigation measures implemented for air quality, hazardous materials, noise, and transportation will reduce impacts levels to be less than significant. No new impacts are anticipated.

Cumulative Impacts: None

Mitigation Measures: None

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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Discussion:

As outlined throughout the Initial Study, the proposed annexation does not have the direct or potential to have environmental effects causing substantial adverse effects on human beings. At the project-specific level, future environmental analysis will demonstrate this assertion.

Cumulative Impacts: None

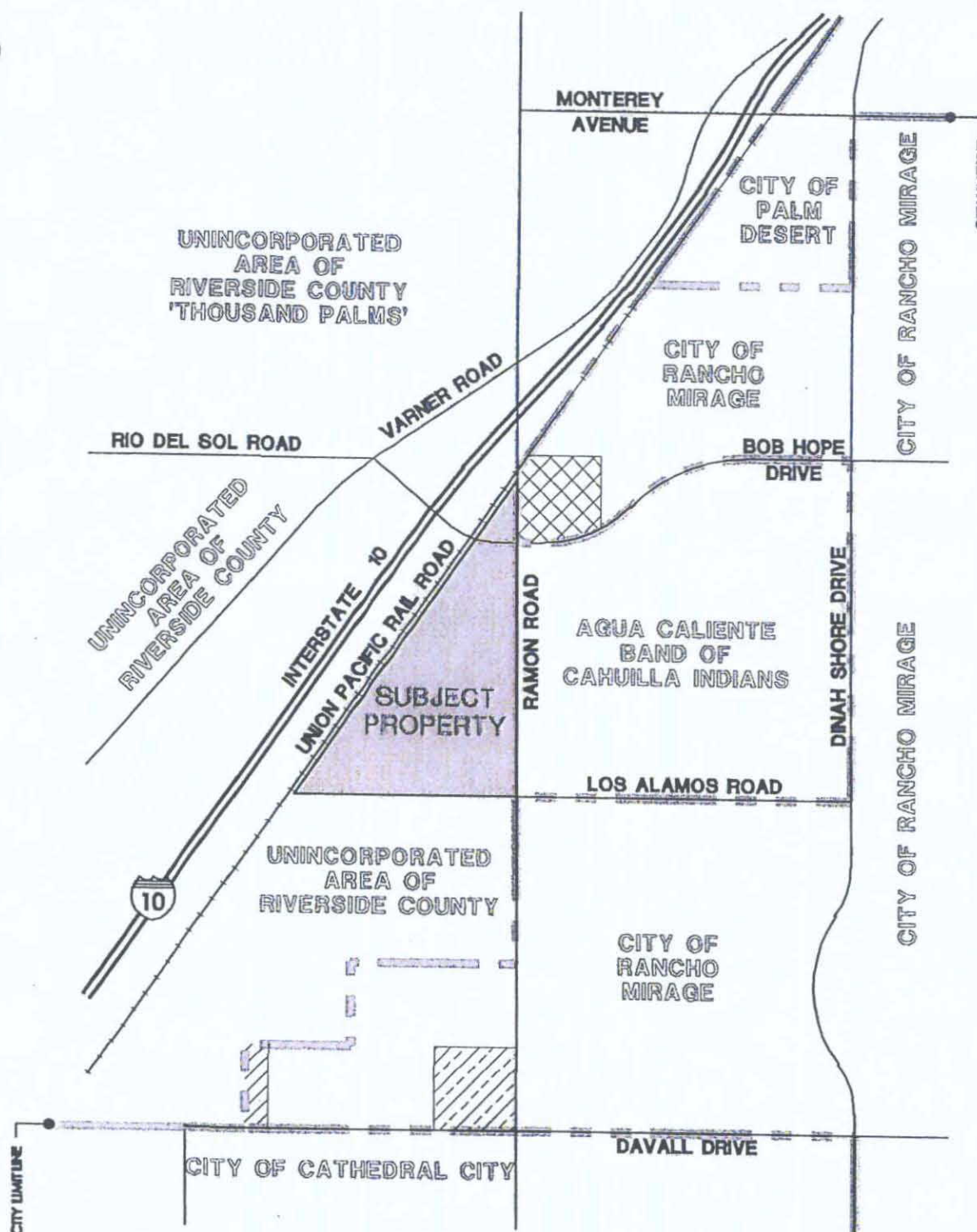
Mitigation Measures: See previous sections.

Vicinity Map






CITY OF RANCHO MIRAGE ANNEXATION INITIAL STUDY

MSA CONSULTING, INC.
PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING

34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893



LEGEND:

-  2012 PROPOSED ANNEXATION (193 ACRES)
-  2010 ANNEXATION (40 ACRES)
-  2009 ANNEXATION (10 ACRES)
-  2008 ANNEXATION (40 ACRES)
-  CITY BOUNDARIES

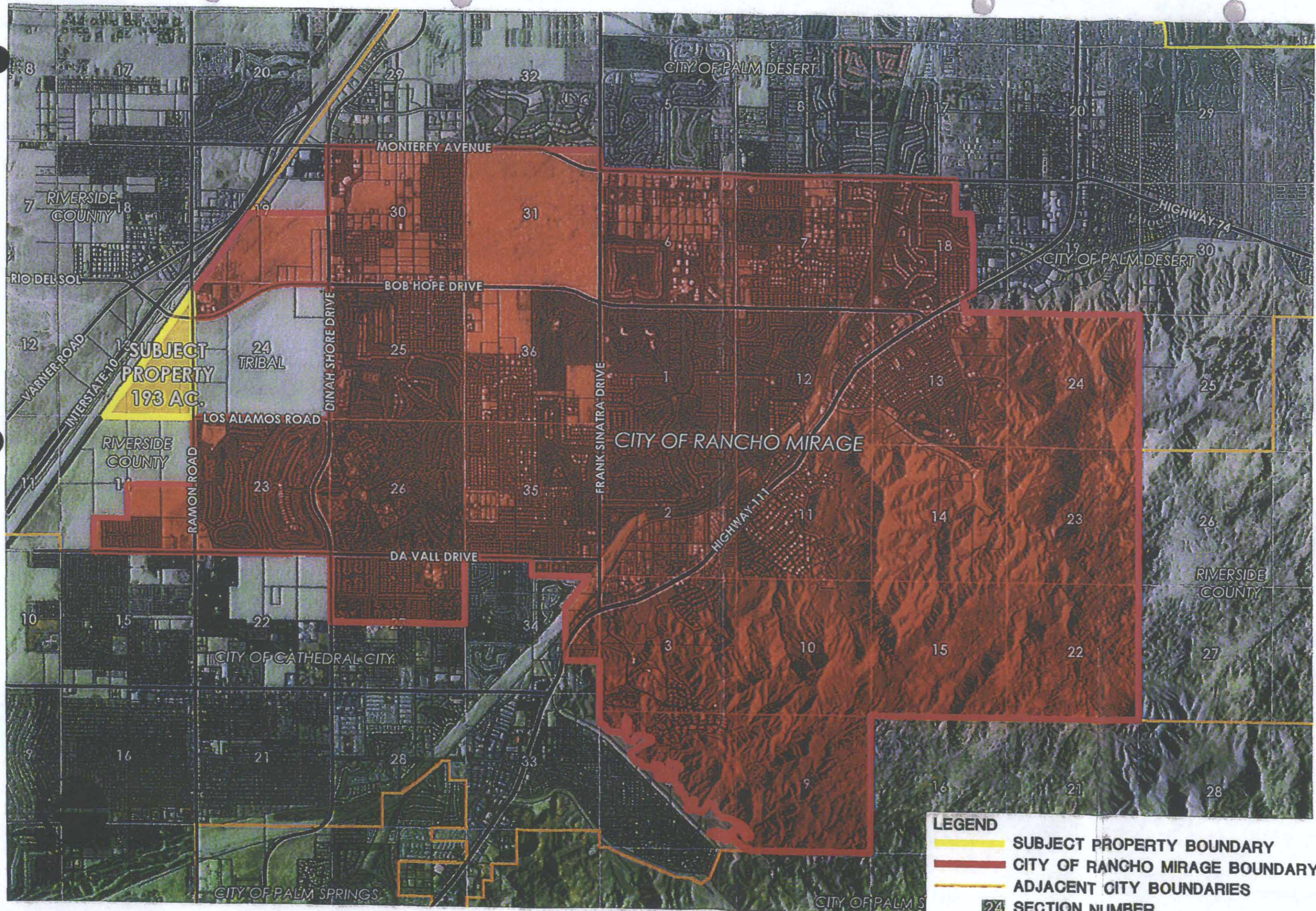


Exhibit Date: 01/17/2012

Aerial Photograph Exhibit CITY OF RANCHO MIRAGE ANNEXATION INITIAL STUDY

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 Telephone (760) 320-9811 ■ Fax (760) 323-7893



- LEGEND**
- SUBJECT PROPERTY BOUNDARY
 - CITY OF RANCHO MIRAGE BOUNDARY
 - ADJACENT CITY BOUNDARIES
 - SECTION NUMBER

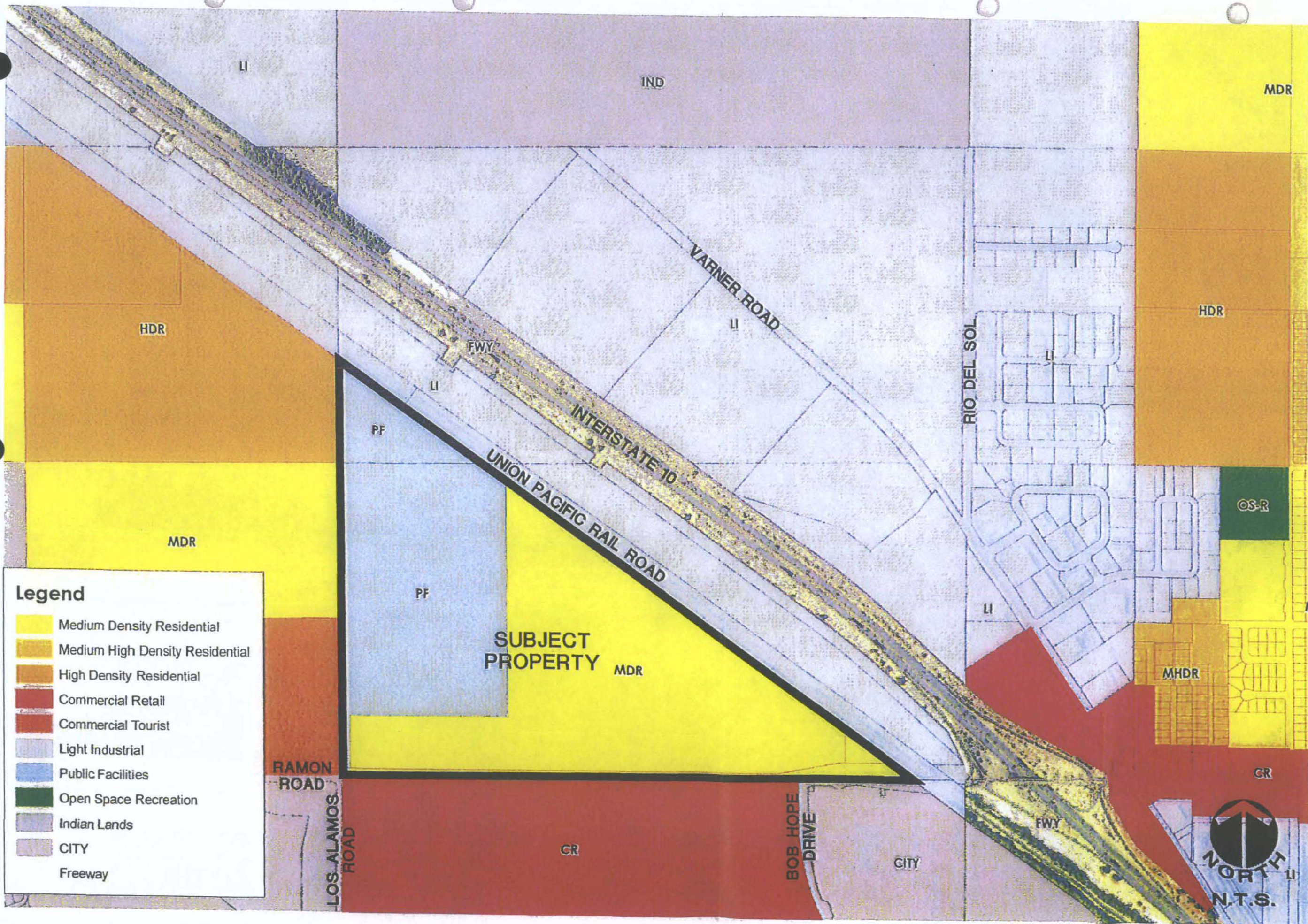


Exhibit Date: 01/17/2012

Riverside County General Plan Land Use

CITY OF RANCHO MIRAGE ANNEXATION

INITIAL STUDY

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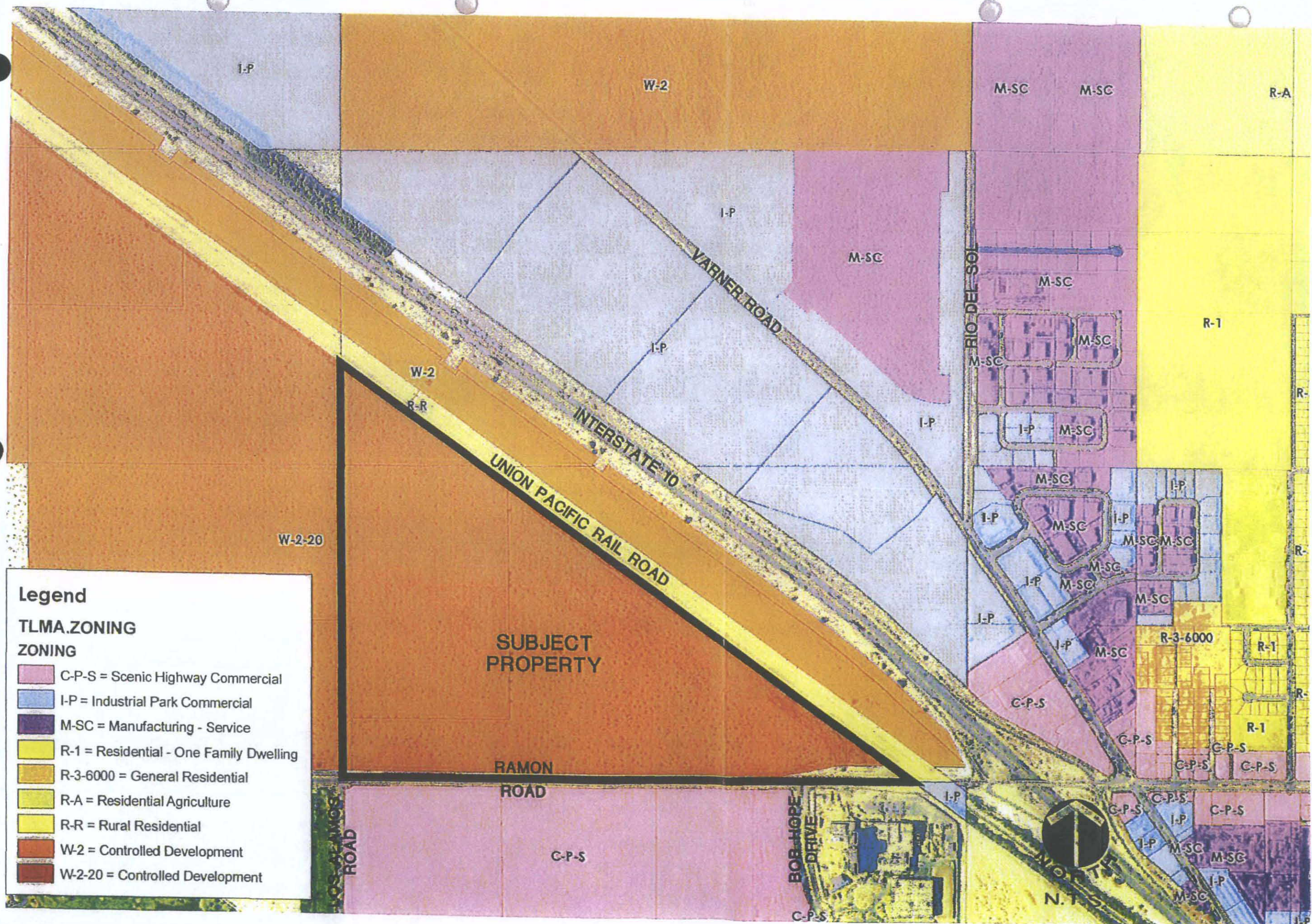


Exhibit Date: 01/17/2012

Riverside County Zoning Map

CITY OF RANCHO MIRAGE ANNEXATION
INITIAL STUDY

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THIS EXHIBIT DATA WAS DERIVED FROM:

CITY OF RANCHO MIRAGE GENERAL PLAN EXHIBIT II-1

LAND USE PLAN

RESIDENTIAL

RE	Residential Estate 1 du/ac Max.
RL-2	Very Low Density 2 du/ac Max.
RL-3	Low Density 3 du/ac Max.
RM	Medium Density 4 du/ac Max.
RD	High Density 9 du/ac Max.
MHP	Mobile Home Park 9 du/ac Max.
HR	Hillside Reserve 1 du/640 ac Max.

COMMERCIAL

O	Office
ON	Neighborhood Commercial
CG	General Commercial
CC	Community Commercial
CH	Resort Hotel
MU	Mixed Use (Commercial/Office/Residential)

INSTITUTIONAL

P	Public/Quasi-Public
PCH	City Hall
PS	Fire Station
PH	Hospital
PS	School
PL	Library
PO	Post Office
US	Utility Substation

OPEN SPACE

PS	Public Park
MR	Mountain Reserve
PS	Private Open Space
FC	Floodways and Drainage Channels

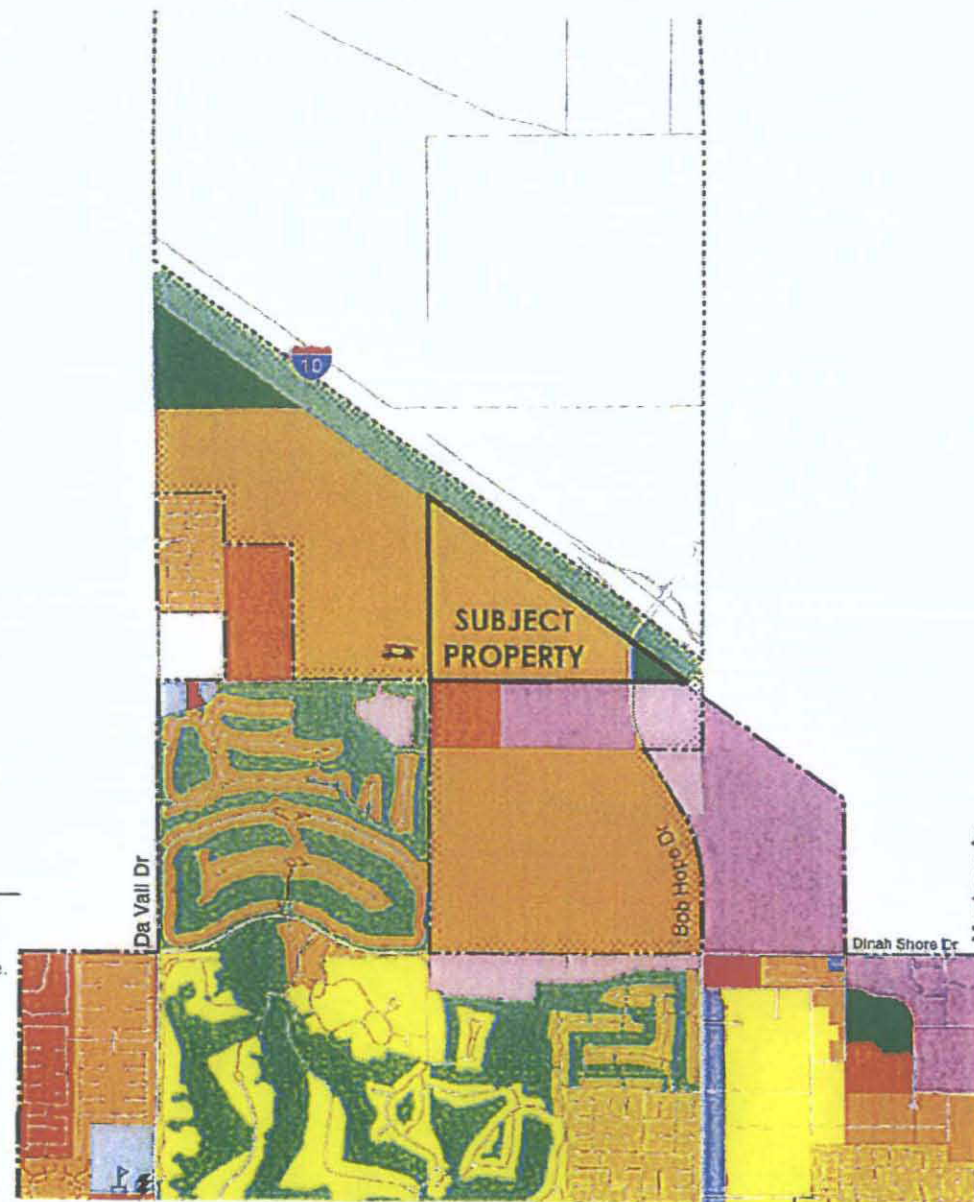
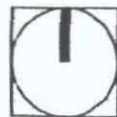
ROW Right of Way

OVERLAYS

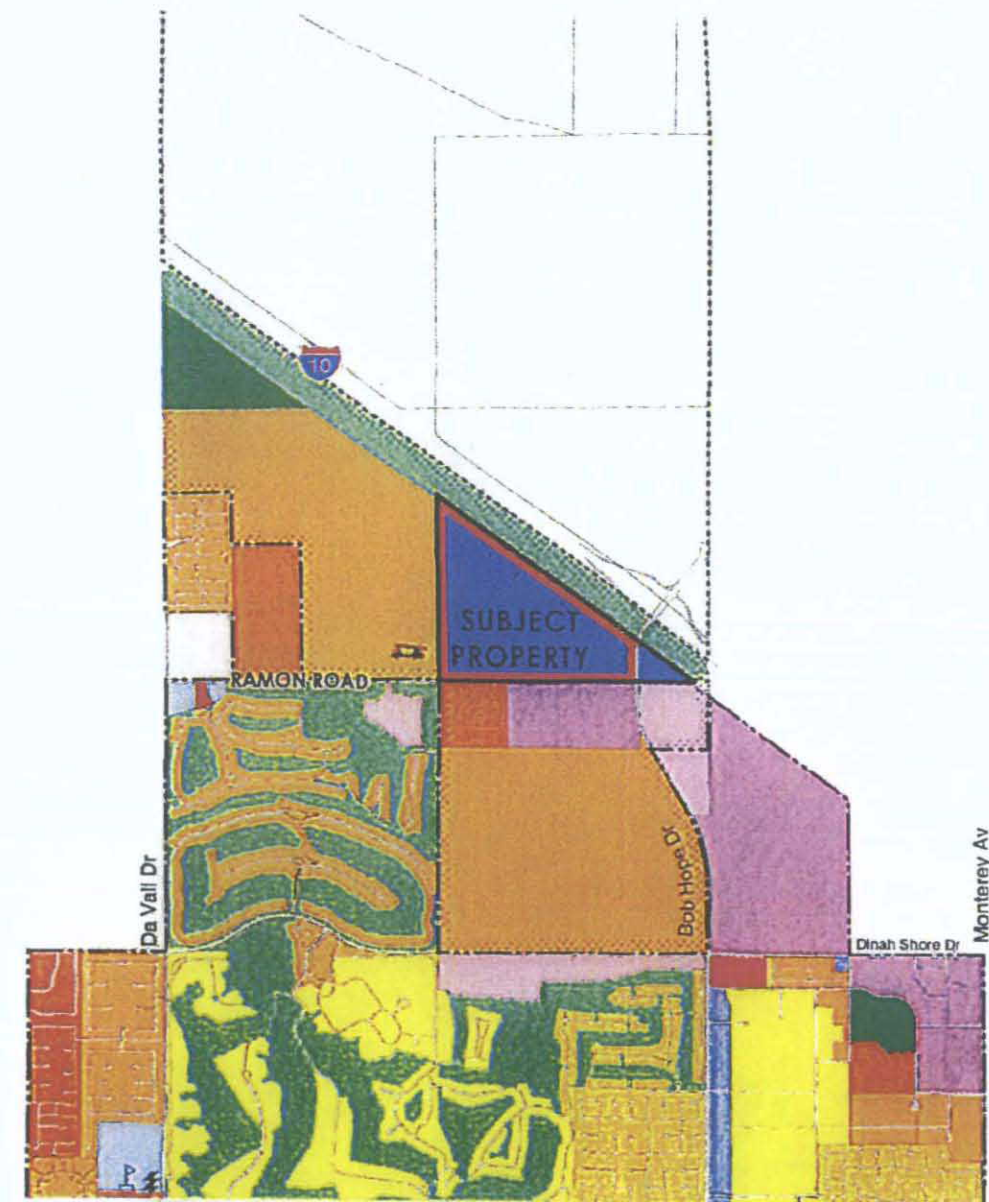
SO	Senior Overlay
SC	Special Corner

* These acreages are included in land use acreages above.

SI	Sphere of Influence South of I-10
SA	Sphere Area North of I-10 (Not Shown)



EXISTING GENERAL PLAN DESIGNATION



PROPOSED GENERAL PLAN DESIGNATION

- REGIONAL INTERSTATE COMMERCIAL (R.I.C.)
- SPECIFIC PLAN OVERLAY

N.T.S.

Exhibit Date: 01/17/2012

Existing and Proposed General Plan Land Use and Zoning Map
CITY OF RANCHO MIRAGE ANNEXATION
INITIAL STUDY

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PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING

34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893





STAFF REPORT

TO: Members of the Planning Commission DATE: February 23, 2012

FROM: Steven B. Quintanilla, City Attorney

SUBJECT: City Attorney's Independent Analysis of Environmental Assessment Case No. EA110006, General Plan/Zoning Map Amendment Case No. GPZMA11001, General Plan Text Amendment Case No. GPT11001, Zoning Text Amendment Case No. ZTA11002, Zoning Map Amendment Case No. ZMA11001, and Annexation Case No. ANN12001.

SPECIFIC REQUEST OR RECOMMENDATION:

That the Planning Commission consider the City Attorney's Independent Analysis of General Plan/Zoning recommending to the City Council establishment of Regional Interstate Commercial (R-I-C) as a new General Plan and Zoning land use and map designation, application of the new R-I-C land use designation to a 193 acre project area, annexation of said 193 acre project area to the City of Rancho Mirage, and approval of an Environmental Assessment for the project.

JUSTIFICATION OR INFORMATION:

Background

The proposed project, which is described more fully in the staff report to be presented to the Planning Commission by Bud Kopp, AICP, Interim Community Development Director, is the establishment of a new land use designation of Regional Interstate Commercial (R-I-C), to be applied to a 193 acre project area located east and west of Bob Hope Drive, north of Ramon Road and south of Union Pacific Railroad. Staff also proposes annexation of that area into the City, which is currently in the City's sphere of influence.

Pursuant to section 17.72.040 of the Rancho Mirage Municipal Code, when a proposed General Plan/Zoning Amendment is initiated, the City Attorney must prepare and present to the Planning Commission an independent report that addresses whether the City has the authority to adopt the proposed amendment, whether the proposed amendment is constitutionally valid, and whether the proposed amendment is consistent with the general powers and purposes of the City, and its charter and ordinance, and any applicable state and/or federal laws.

Planning Commission Action:

Approved as _____
Requested: _____
Approved as Amended: _____
Denied: _____
Other: _____

Referred to: _____
For: _____
Cont. to Agenda of: _____
Hearing Set: _____

AGENDA ITEM #

JUSTIFICATION OR INFORMATION CONTINUED:

Procedural Requirements

Under the state's zoning laws, proposed zoning amendments must be submitted to the Planning Commission and given a noticed public hearing.¹ After the hearing, the Planning Commission must render its decision in the form of a written recommendation to the City Council that includes the reasons for the recommendation and the relationship of the proposed amendment to the General Plan and any applicable Specific Plans.

General Plan/Zoning Map Amendments are governed by Chapter 17.72 of the Municipal Code. While the chapter is silent as to the grounds upon which the Planning Commission may recommend against the proposed amendment, generally speaking, if the Commission finds that the amendment is consistent with the purposes of the Zoning Regulations and the General Plan, the Commission should recommend the introduction of an ordinance amending the General Plan/Zoning Map. Conversely, if the Commission finds that the amendment is inconsistent with the purposes of the Zoning Regulations or the General Plan, the Commission should recommend denial or modification of the amendment, or continue the application for changes necessary to become consistent.

Legal Authority

Zoning ordinances must be reasonably related to the public welfare.² The recommended actions, intended to influence the course of development for the reasons fully set forth in the primary staff report is a proper purpose.

Moreover, Article XI, Section 7, of the California Constitution rests plenary authority over local health, safety and welfare with cities and counties, conferring upon them the police power to "make and enforce all local police, sanitary and other ordinances and regulations not in conflict with the general laws." As such, the California Constitution confers upon the City the authority to enact laws that are not in conflict with general state laws, which includes zoning activities.

Finally, Section 100 of the City's Charter provides that the City shall have full power and authority to adopt, make, exercise and enforce all legislation, laws, and regulations and to take all actions relating to municipal affairs, without limitation, which may be lawfully adopted, made, exercised, taken or enforced under the Constitution of the State of California.

¹ Gov. Code §65954.

² *Associated Home Builders, Inc. v. City of Livermore* (1976) 18 Cal.3d 582.

JUSTIFICATION OR INFORMATION CONTINUED:

Based on the above, the City Attorney finds that the proposed amendments are a proper exercise of the City's authority to exercise control over its municipal affairs and is consistent with the City's charter and zoning ordinance and not in conflict with state or federal laws.

Conclusions

Based on the findings set forth above, the City Attorney's Office concludes that the City has the authority to adopt the proposed amendments and that such action is constitutionally valid, consistent with the general powers and purposes of the City and its charter and ordinances, and is not in conflict with applicable state or federal laws.

P:\APPS\WPDATA\RNCH\0005-35 General Planning Matters\DOC\343 - PC Supplemental Staff Report Re Annexation (02.23.10).doc

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, ESTABLISHING A REGIONAL INTERSTATE COMMERCIAL ("R-I-C") LAND USE DESIGNATION FOR A PORTION OF SECTION 13, T4S, R5E, SBB&M CONSISTING OF APPROXIMATELY 193 ACRES LOCATED EAST AND WEST OF BOB HOPE DRIVE, NORTH OF RAMON ROAD AND SOUTH OF THE UNION PACIFIC RAILROAD - GENERAL PLAN AND ZONING MAPS AMENDMENT CASE N^o GPZMA11001.

WHEREAS, the City of Rancho Mirage ("City") plans to apply to the Riverside Local Agency Formation Commission ("LAFCO") for a City-initiated sphere of influence amendment and municipal annexation pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to annex certain territory consisting of approximately 193 acres of land located east and west of Bob Hope Drive, north of Ramon Road and South of the Union Pacific Railroad (the "Project Area") with Assessor Parcel numbers 670-240-003; 670-250-003; 670-250-004 and 670-250-005, all as depicted on the map attached at Exhibit "A" and as legally described at Exhibit "B" attached hereto; and

WHEREAS, the Project Area is currently under the jurisdiction of Riverside County but has been within the Rancho Mirage Sphere of Influence ("SOI") since City incorporation in 1973; and.

WHEREAS, the Project Area is currently zoned as Residential Medium ("RM") under the County's zoning regulations; and

WHEREAS, staff has determined, with the property owner's consent, that commercial development and use of the Project Area is a more productive use of the property than residential and commercial zoning of the Project Area will be compatible with the current and projected uses of the surrounding properties; and

WHEREAS, since the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 prohibits the General Plan and Zoning designations of annexed territory from being changed for three years following annexation, staff recommends that the Project Area be pre-zoned to a commercial use; and

WHEREAS, staff recommends that a Regional Interstate Commercial ("R-I-C") land use designation be established for the Project Area prior to the City submitting an annexation application to the Local Agency Formation Commission ("LAFCO") to annex the Project Area to the City of Rancho Mirage, which requires a General Plan and Zoning Maps amendment; and

WHEREAS, pursuant to Rancho Mirage Municipal Code section 17.72.040, the City Attorney provided an independent written staff report to the City Council finding that the City has the requisite authority to adopt the proposed General Plan and Zoning Maps Amendment, that such amendment is constitutionally valid under the state and federal constitution, and is consistent with the general powers and purposes of the City, the City Charter, and all other applicable federal, state and local laws; and

WHEREAS, an environmental analysis, documentation and action known as Environmental Assessment N^o EA110006 was performed pursuant to CEQA Guidelines and state statutes and the City Council has found that the project will not have a significant impact upon the environment.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE DOES ORDAIN AS FOLLOWS:

Section 1. ADOPTION OF GENERAL PLAN AND ZONING MAPS AMENDMENT

General Plan and Zoning Maps Amendment Case No. GPZMA11001 is hereby approved and shall be appropriately referenced in Appendix 1 of Title 17 "Zoning" of the Rancho Mirage Municipal Code.

Section 2. CITY ATTORNEY REVIEW

The City Attorney prepared and framed this ordinance pursuant to Section 1.04.010 of the Municipal Code and finds that the City Council has the authority to adopt this ordinance, that the ordinance is constitutionally valid and that the ordinance is consistent with the general powers and purposes of the City as set forth in Section 1.04.031 of the Municipal Code.

Section 3. SEVERABILITY

The City Council declares that, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 4. REPEAL OF CONFLICTING PROVISIONS

All the provisions of the Rancho Mirage Municipal Code as

heretofore adopted by the City of Rancho Mirage that are in conflict with the provisions of this ordinance are hereby repealed.

Section 5. EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after its second reading by the City Council.

Section 6. CERTIFICATION

The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

The foregoing Ordinance was approved and adopted at a meeting of the City Council held on _____, 2012, by the following vote:

Ayes:
Noes:
Abstain:
Absent:

G. Dana Hobart, Mayor

ATTEST:

Cynthia Scott, City Clerk

APPROVED AS TO FORM:

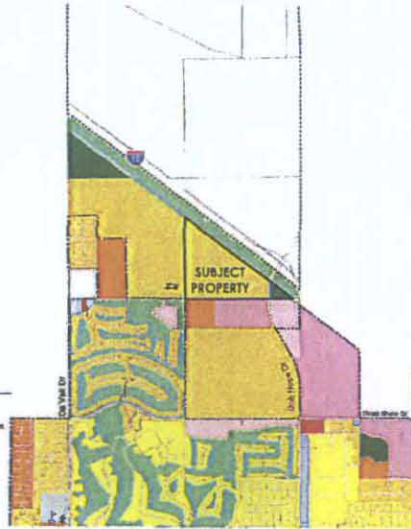
Steven B. Quintanilla,
City Attorney

EXHIBIT A

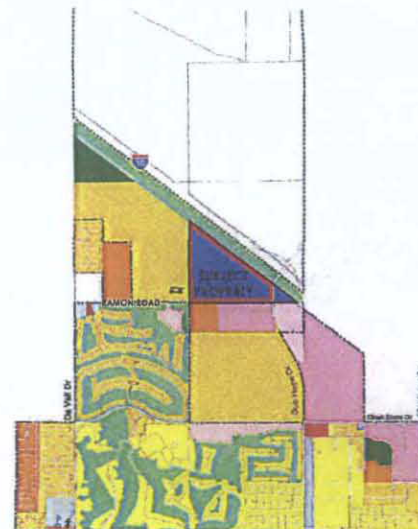
THIS EXHIBIT DATA WAS DERIVED FROM:
CITY OF RANCHO MIRAGE GENERAL PLAN EXHIBIT II-1

LAND USE PLAN

- RESIDENTIAL**
 - R-1 Single-Family Detached 1 Acre Min.
 - R-2 Single-Family Detached 2 Acre Min.
 - R-3 Single-Family Detached 3 Acre Min.
 - R-4 Single-Family Detached 4 Acre Min.
 - R-5 Single-Family Detached 5 Acre Min.
 - R-6 Single-Family Detached 6 Acre Min.
 - R-7 Single-Family Detached 7 Acre Min.
 - R-8 Single-Family Detached 8 Acre Min.
 - R-9 Single-Family Detached 9 Acre Min.
 - R-10 Single-Family Detached 10 Acre Min.
 - COMMERCIAL**
 - C-1 Office
 - C-2 Neighborhood Commercial
 - C-3 General Commercial
 - C-4 Community Commercial
 - C-5 Retail
 - C-6 Mixed-Use (Commercial/Office/Residential)
 - INSTITUTIONAL**
 - I-1 Public Office
 - I-2 City Hall
 - I-3 Fire Station
 - I-4 Hospital
 - I-5 School
 - I-6 Library
 - I-7 Post Office
 - I-8 Utility Substation
 - OPEN SPACE**
 - O-1 Public Park
 - O-2 Mountain Reserve
 - O-3 Private Open Space
 - O-4 Parkway and Drainage Channels
 - OVERLAYS**
 - OS-1 Border Overlay
 - OS-2 Special Center
- * These categories are included in land use categories above.
- Scale: 1" = 100' (Not to Scale)



EXISTING GENERAL PLAN DESIGNATION



PROPOSED GENERAL PLAN DESIGNATION

- REGIONAL INTERSTATE COMMERCIAL (R.I.C.)
- SPECIFIC PLAN OVERLAY

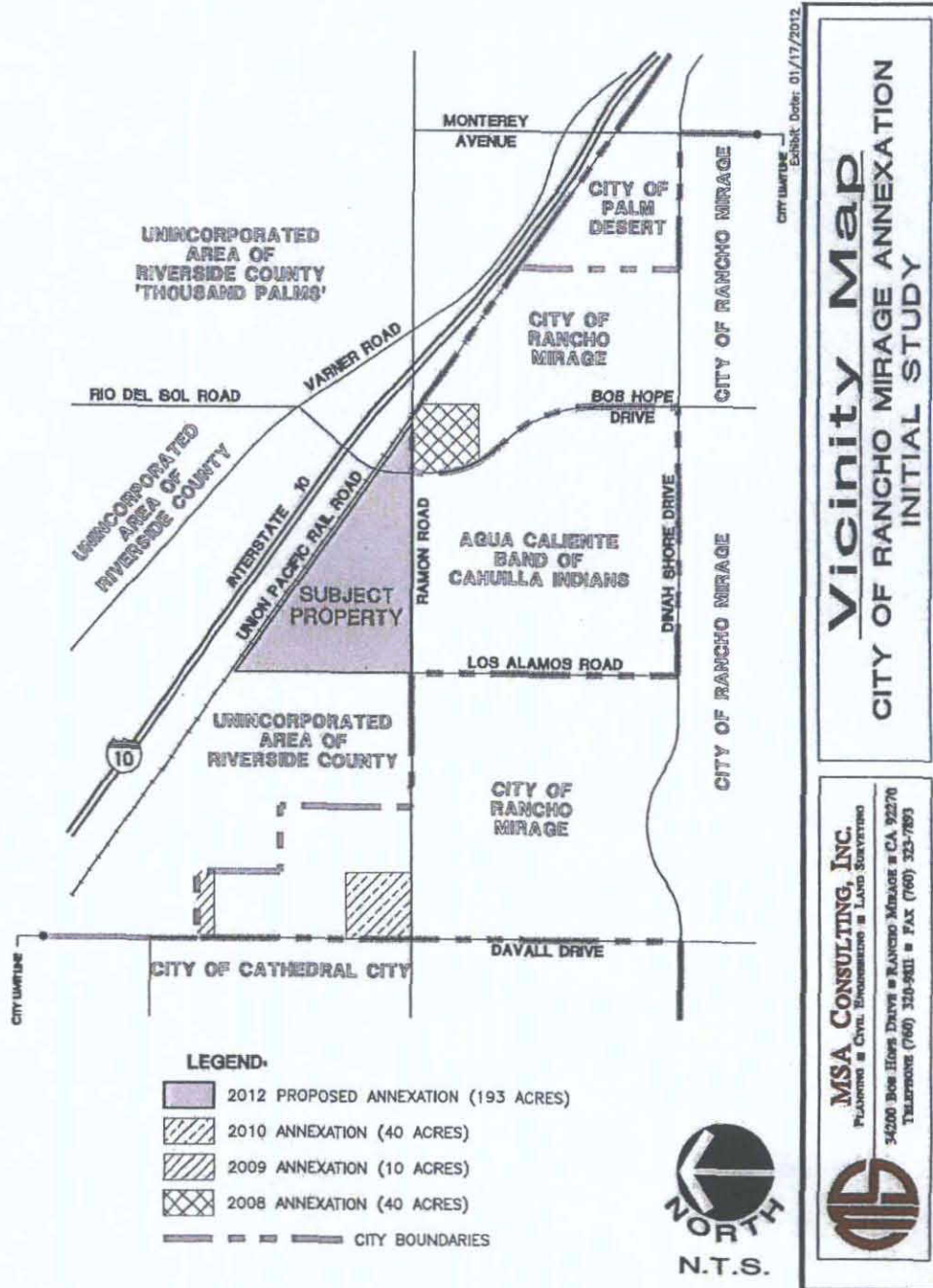
N.T.S.

DATE: 05/17/2011

Existing and Proposed General Plan Land Use and Zoning Map
CITY OF RANCHO MIRAGE ANNEXATION
INITIAL STUDY

MSA CONSULTING, INC.
PLANNING & CONSULTING
3000 Van Nuys Blvd., Suite 100, Van Nuys, CA 91411
Tel: (818) 708-8888 • Fax: (818) 708-7891

EXHIBIT B



ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, AMENDING CERTAIN TABLES CONTAINED WITHIN THE LAND USE ELEMENT OF THE RANCHO MIRAGE GENERAL PLAN TO REFLECT THE ESTABLISHMENT OF A NEW REGIONAL INTERSTATE COMMERCIAL ("R-I-C") LAND USE DESIGNATION - GENERAL PLAN TEXT AMENDMENT CASE N^o _____

WHEREAS, the City desires to annex an area consisting of approximately 193 acres of land located east and west of Bob Hope Drive, north of Ramon Road and south of the Union Pacific Railroad "Project Area"); and

WHEREAS, the Project Area is currently zoned as Residential Medium ("RM") under the County's zoning regulations; and

WHEREAS, staff has determined, with the property owner's consent, that commercial development and use of the Project Area is a more productive use of the property than residential and commercial zoning of the Project Area will be compatible with the current and projected uses of the surrounding properties; and

WHEREAS, since the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 prohibits the General Plan and Zoning designations of annexed territory from being changed for three years following annexation, staff has recommended that the Project Area be pre-zoned to a commercial use; and

WHEREAS, staff has also recommended that a Regional Interstate Commercial ("R-I-C") land use designation be established for the Project Area prior to the City submitting an annexation application to the Local Agency Formation Commission ("LAFCO") to annex the Project Area to the City of Rancho Mirage; and

WHEREAS, the R-I-C General Plan and Zoning designation is expected to provide a broad and flexible range of commercial and mixed uses within a planned, freeway-oriented business environment; and

WHEREAS, staff now also recommends that the City's Land Use Element of the General Plan be amended to reflect the addition of the new R-I-C land use designation.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE DOES ORDAIN AS FOLLOWS:

Section 1. RECITALS

The above recitals are true and correct and are incorporated as though fully set forth herein.

Section 2. AMENDMENT TO TABLE II-1 OF THE LAND USE ELEMENT
OF THE GENERAL PLAN

The commercial component of Table II-1 "City of Rancho Mirage General Plan Land Use Designations" of the City of Rancho Mirage's Land Use Element of the General Plan shall be amended as follows:

Table II-1
City of Rancho Mirage General Plan
Land Use Designations

Commercial	
<u>(R-I-C) REGIONAL INTERSTATE COMMERCIAL</u> <u>(FAR)</u>	<u>Projects developed within this designation require a specific plan (with the exception of the area east of Bob Hope Drive). Specific plans for these areas typically include "compatible design standards and must demonstrate shared internal circulation, and complimentary and synergistic relationships amongst uses." The R-I-C designation will permit freeway oriented "theme" signage visible from Interstate 10 in order to encourage and promote the development and operation of revenue generating land uses located within the land use category. Details of signage will be addressed in a comprehensive manner through a Specific Plan and/or in a Development Plan subject to the review and approval by the City Council.</u>

Section 3. AMENDMENT TO TABLE II-2 OF THE LAND USE ELEMENT
OF THE GENERAL PLAN

Table II-2 "City of Rancho Mirage Statistical Summary of Land Uses" of the City of Rancho Mirage's Land Use Element of the General Plan shall be amended to reflect the addition of the Regional Interstate Commercial (R-I-C) land use designation.

Section 4. AMENDMENT TO TABLE II-3 OF THE LAND USE ELEMENT
OF THE GENERAL PLAN

Table II-3 "Commercial Land Use Development Potential" of the City of Rancho Mirage's Land Use Element of the General Plan shall be amended to reflect the addition of the Regional Interstate Commercial (R-I-C) land use designation.

Section 5. ADDITIONAL AMENDMENTS TO GENERAL PLAN TEXT

Staff shall include all necessary amendments to the text of the General Plan to properly reference the addition of the Regional Interstate Commercial (R-I-C) land use designation.

Section 6. CITY ATTORNEY REVIEW

The City Attorney prepared and framed this ordinance pursuant to Section 1.04.010 of the Municipal Code and finds that the City Council has the authority to adopt this ordinance, that the ordinance is constitutionally valid and that the ordinance is consistent with the general powers and purposes of the City as set forth in Section 1.04.031 of the Municipal Code.

Section 7. SEVERABILITY

The City Council declares that, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 8. REPEAL OF CONFLICTING PROVISIONS

All the provisions of the City of Rancho Mirage's Land Use Element of its General Plan as heretofore adopted by the City that are in conflict with the provisions of this ordinance are hereby repealed.

Section 9. EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after its second reading by the City Council.

Section 10. CERTIFICATION

The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

The foregoing Ordinance was approved and adopted at a meeting of

the City Council held on _____, 2012, by the following vote:

Ayes:
Noes:
Abstain:
Absent:

G. Dana Hobart, Mayor

ATTEST:

Cynthia Scott, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla,
City Attorney

P:\APPS\WPDATA\RNCH\0005-35 General Planning Matters\DOC\343 - General Plan Text Amendment Re RIC Ordinance (02.16.12).doc

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, AMENDING TITLE 17 "ZONING" OF THE RANCHO MIRAGE MUNICIPAL CODE TO ESTABLISH A REGIONAL INTERSTATE COMMERCIAL ("R-I-C") LAND USE DESIGNATION - ZONE TEXT AMENDMENT CASE N^o ZTA11002

WHEREAS, the City desires to annex an area consisting of approximately 193 acres of land located east and west of Bob Hope Drive, north of Ramon Road and south of the Union Pacific Railroad "Project Area"); and

WHEREAS, the Project Area is currently zoned as Residential Medium ("RM") under the County's zoning regulations; and

WHEREAS, staff has determined, with the property owner's consent, that commercial development and use of the Project Area is a more productive use of the property than residential and commercial zoning of the Project Area will be compatible with the current and projected uses of the surrounding properties; and

WHEREAS, since the Cortese-Know-Hertzberg Local Government Reorganization Act of 2000 prohibits the General Plan and Zoning designations of annexed territory from being changed for three years following annexation, staff recommends that the Project Area be pre-zoned to a commercial use; and

WHEREAS, staff recommends that a Regional Interstate Commercial ("R-I-C") land use designation be established for the Project Area prior to the City submitting an annexation application to the Local Agency Formation Commission ("LAFCO") to annex the Project Area to the City of Rancho Mirage.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE DOES ORDAIN AS FOLLOWS:

Section 1. RECITALS

The above recitals are true and correct and are incorporated as though fully set forth herein.

Section 2. AMENDMENT TO SECTION 17.10.010

Section 17.10.010 "Purpose" of Chapter 17.10 of the Rancho Mirage Municipal Code shall be amended as follows:

8. R-I-C (Regional Interstate Commercial) Zone. The R-I-C

zoning district is applied to areas . . .

Section 3. AMENDMENT TO SECTION 17.10.012

Section 17.10.012 Table 2-4 "Allowable Uses and Permit Requirements for Commercial and Industrial Zoning Districts" of Chapter 17.10 of the Rancho Mirage Municipal Code shall be amended as follows:

17.10.012 Allowable commercial and industrial zone uses, permit requirements and project review authority.

Allowable land uses within commercial and industrial zoning districts are indicated in Table 2-4 by permit requirement. Review authority for development projects is also provided. In the event that future land use is unknown for a development project the City Council shall be the review authority. Uses that are not identified are considered "not allowed".

TABLE 2-4

ALLOWABLE USES AND PERMIT REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

Land Use (1) (2) (4)	Permit Requirement by District	
	<u>RIC</u>	Project Review Authority
Education, Public Assembly, and Recreation		
Churches/Places of Worship	<u>C</u>	CC
Community/Cultural Centers	<u>C</u>	CC
Health/Fitness Centers	<u>D</u>	CC
Indoor Amusement/Entertainment Centers	<u>D</u>	CC
Libraries and Museums	<u>D</u>	CC
Membership Organization Facilities	<u>C</u>	CC
Nightclubs, With or Without Food Service	<u>C</u>	CC
Outdoor Recreation, Commercial	<u>C</u>	CC
Recreation Facilities, Private	<u>D</u>	CC
Schools, Private	<u>C</u>	CC
Schools, Specialized Education and Training	<u>D</u>	CC
Stables, Commercial	<u>C</u>	CC
Studios-Art, Dance, Music, Photography, etc.	<u>D</u>	CC
Theaters, Auditoriums, and Meeting Halls	<u>D</u>	CC
Manufacturing and Processing		
Beverage Production		CC

Chemical Products		CC
Clothing Products		CC
Electronics and Equipment Manufacturing		CC
Food and Beverage Manufacturing		CC
Food Products		CC
Furniture/Fixtures/Cabinet Shops		CC
Glass Products		CC
Handicraft Industries, Small Scale Assembly		CC
Laundries and Dry Cleaning Plants		CC
Lumber and Wood Products		CC
Machinery Manufacturing		CC
Metal Products Fabrication		CC
Paper Products		CC
Pharmaceutical Manufacturing		CC
Plastics and Rubber Products		CC
Printing and Publishing		CC
Recycling Facilities-Small Collection Facility 17.30.180		CC
Recycling Facilities-Large Collection Facility 17.30.180		CC
Recycling Facilities-Processing Facility 17.30.180		CC
Recycling Facilities-Reverse Vending Machines 17.30.180		CC
Research and Development		CC
Structural Clay and Pottery Products		CC
Textile Products		CC
Warehousing, Wholesaling, and Distribution Facilities	<u>D</u>	CC
Retail Trade		
Accessory Retail Uses	<u>P</u>	Staff
Art, Antiques, Collectibles, and Gifts	<u>P</u>	CC
Automobile Sales (new with incidental used)	<u>C</u>	CC
Auto (motor vehicle) Parts and Supplies	<u>C</u>	CC
Bars and Alcoholic Beverage Drinking Places, On-Site Consumption	<u>C</u>	CC
Building Material Stores	<u>C</u>	CC
Consignment Stores	<u>C</u>	CC
Convenience Stores	<u>C</u>	CC
Furniture, Furnishings and Equipment Stores	<u>D</u>	CC
Grocery Stores	<u>D</u>	CC
Liquor Stores, Off-Site Consumption	<u>C</u>	CC

Mobile Home, Recreational Vehicle Sales		CC
Outdoor Retail Sales and Activities 17.30.150		CC
Pet Stores	<u>D</u>	CC
Plant Nurseries	<u>D</u>	CC
Restaurants, Fast Food	<u>D</u>	CC
Restaurants, Specialty	<u>D</u>	CC
Restaurants, Standard	<u>D</u>	CC
Retail Stores, General Merchandise	<u>D</u>	CC
Shopping Centers	<u>D</u>	CC
Warehouse Retail Stores	<u>C</u>	CC
Automated Teller Machines (ATMs)	<u>P</u>	Staff
Banks and Financial Services	<u>D</u>	CC
Bed and Breakfast Inns 17.30.050	<u>C</u>	CC
Business Support Services	<u>D</u>	CC
Car (Motor Vehicle) Wash	<u>C</u>	CC
Hospital, Convalescent	<u>C</u>	CC
Hospital, Specialty	<u>C</u>	CC
Hotels	<u>D</u>	CC
Laundromats, Self-Service and Dry Cleaning, Drop-off only	<u>D</u>	CC
Medical Services, Clinics, and Laboratories	<u>D</u>	CC
Mortuaries and Funeral Parlors	<u>D</u>	CC
Offices, Professional	<u>D</u>	CC
Personal Services	<u>D</u>	CC
Repair and Maintenance, Consumer Products	<u>D</u>	CC
Repair and Maintenance, Vehicles		CC
Service Stations	<u>C</u>	CC
Spa Facilities	<u>D</u>	CC
Storage (Self Service, Personal Storage) Facilities		CC
Veterinarian Clinics and Animal Hospitals	<u>C</u>	CC
Transportation and Communication Facilities		
Alternative Fuels and Recharging Facilities	<u>D</u>	CC
Broadcast and Recording Studios	<u>D</u>	CC
Public Utility Facilities	<u>C</u>	CC
Satellite Antenna	<u>C</u>	CC
Temporary Parking Lots (in compliance with city improvement standards)		CC
Transit Stations and Terminals		CC
Vehicle Storage Facilities		CC

Wireless Facilities 17.32.050	<u>C</u>	CC
Residential		
Accessory Uses and Structures		Staff
Assisted Living Facilities 17.30.040	<u>C</u>	CC
Caretaker/Employee Housing		CC
Child Care Centers Up to 15 Children 17.30.060	<u>C</u>	PC
Child Care Centers 16-30 Children 17.30.060	<u>C</u>	CC
Condo-Hotel Projects 17.30.095	<u>D</u>	CC
Live/Work Facilities		PC
Multifamily Housing	<u>C</u>	CC
Residential Care Homes Up to 8 Clients		Staff
Residential Care Homes 9+ Clients	<u>D</u>	CC
Senior Congregate Care Housing 17.30.210		CC
Vacation Ownership Resorts (5)		CC

Key to Permit Requirements		
Symbol	Applicable Process	See Chapter
P	Permitted use (3)	
D	Development Plan Permit required	17.42
C	Conditional use-Conditional Use Permit required	17.48
Blank	Use not allowed	

Notes:	(1)	See Section 17.02.020(D) (Allowable uses of land).
	(2)	See Section 17.90.020 for definitions of the land uses listed.
	(3)	A director approved development plan permit shall be required. See Chapter 17.42.
	(4)	In existing conforming structures land uses allowed with a development plan permit may be considered a permitted (P) use.
	(5)	Fractional ownership may be permitted subject to approval of a development agreement pursuant to Section 17.56 of this title. See Section 17.30.260, Time Share and Vacation Ownership Uses.

Section 4. CITY ATTORNEY REVIEW

The City Attorney prepared and framed this ordinance pursuant to Section 1.04.010 of the Municipal Code and finds that the City Council has the authority to adopt this ordinance, that the ordinance is constitutionally valid and that the ordinance is consistent with the general powers and purposes of the City as set forth in Section 1.04.031 of the Municipal Code.

Section 5. SEVERABILITY

The City Council declares that, should any provision, section,

paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 6. REPEAL OF CONFLICTING PROVISIONS

All the provisions of the Rancho Mirage Municipal Code as heretofore adopted by the City of Rancho Mirage that are in conflict with the provisions of this ordinance are hereby repealed.

Section 7. EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after its second reading by the City Council.

Section 8. CERTIFICATION

The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

The foregoing Ordinance was approved and adopted at a meeting of the City Council held on _____, 2012, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

G. Dana Hobart, Mayor

ATTEST:

Cynthia Scott, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla,
City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE INITIATING AN APPLICATION TO THE RIVERSIDE LOCAL AGENCY FORMATION COMMISSION (LAFCO) FOR THE PROPOSED ANNEXATION OF TERRITORY CONSISTING OF APPROXIMATELY 193 ACRES OF LAND LOCATED EAST AND WEST OF BOB HOPE DRIVE, NORTH OF RAMON ROAD AND SOUTH OF THE UNION PACIFIC RAILROAD (APN 670-240-003; 670-250-003; 670-250-004 AND 670-250-005)

WHEREAS, the City of Rancho Mirage ("City") wants to apply to the Riverside Local Agency Formation Commission ("LAFCO") for a City-initiated municipal annexation pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the City Council is proposing that LAFCO approve the City's request to amend the City's Sphere of Influence to include approximately 193 acres of land (the "Project Area") which is currently located in the City's Sphere of Influence, as depicted in Exhibit A, and approve the annexation the Project Area to the City; and

WHEREAS, the Project Area is located in a Portion of Section 13, T4S, R5E, SBB&M, east and west of Bob Hope Drive, North of Ramon Road and South of the Union Pacific Railroad, and identified as APN 670-240-003; 670-250-003; 670-250-004 and 670-250-005; and

WHEREAS, the Project Area is currently under the jurisdiction of Riverside County but has been within the Rancho Mirage Sphere of Influence (SOI) since City incorporation in 1973, as depicted in Exhibit "B", attached hereto and incorporated herein by this reference; and

WHEREAS, the Project Area is currently undeveloped and uninhabited; and

WHEREAS, the proposed annexation would give the City of Rancho Mirage control over the development of the area through planning and zoning; and

WHEREAS, The Regional Interstate Commercial ("R-I-C") General Plan Land Use and Zoning Map designation for the Project

Area will provide for the logical expansion of the City in a manner that is consistent with existing and previously planned development in the subject area and compatible with the development to the north, east and south in the City of Rancho Mirage; and

WHEREAS, the City, as lead agency, has adopted a Mitigated Negative Declaration for the Project Area and in so doing has complied with the provisions of the California Environmental Quality Act ("CEQA") and all applicable State Guidelines; and

WHEREAS, the Annexation would not adversely impact the City of Rancho Mirage through the extension of needed infrastructure and services.

NOW, THEREFORE, be it resolved by the City Council of the City of Rancho Mirage as follows:

Section 1. RECITALS

That the above recitals are true and correct and are incorporated as though fully set forth herein.

Section 2. EXHIBITS

That the attached exhibits are incorporated as though fully set forth herein.

Section 3. ADMINISTRATIVE RECORD

That the City Council considered all of the evidence submitted into the administrative record including, but not limited to, the following:

- A. The City's Municipal Code and General Plan;
- B. The Initial Study and Mitigated Negative Declaration prepared for the Project;
- C. The Staff Report prepared by Interim Community Development Director Bud Kopp, AICP;
- D. The Staff presentation at the public hearing conducted at the City Council Meeting held February 23, 2012, and all testimony and/or comments from interested

parties submitted to the City in both written and oral form at, or prior to, said public hearing, and all public comments, both written and oral, received and/or submitted at, or prior to, said public hearing and supporting and/or opposing the staff recommendation.

Section 4. ENVIRONMENTAL REVIEW

That the City has complied with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000 et seq., the CEQA Guidelines, Cal. Code Regs., Tit. 14, Section 15000 et seq.; and the City has, prior to or concurrent with the approval of this proposed resolution, considered and approved a Mitigated Negative Declaration which adequately addresses the environmental effects of the proposed Project.

Section 5. FINDINGS

That City Council has considered the evidence submitted into the administrative record and makes the following findings:

A. The Project Area is undeveloped, unoccupied and is considered "uninhabited; and

B. The Project Area is contiguous to the City's boundaries and is a logical extension of the City's boundaries; and

C. The proposed Sphere of Influence amendment and subsequent change of organization (annexation) of the Project Area to the City would not adversely impact upon the Land Use goals of the City's General Plan; and

D. The proposed Sphere of Influence amendment and subsequent annexation of the Project Area to the City would facilitate planned, orderly, and efficient patterns of land use or provision of services and would contribute to the orderly development of the City.

Section 6. INITIATION OF PROCEEDINGS

That City Council hereby orders the initiation of an Application to the Riverside Local Agency Formation Commission for amendment of the City's Sphere of Influence and annexation

of the Project Area and directs the preparation of all documents required to facilitate such reorganization.

Section 7. CERTIFICATION

That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2012.

G. Dana Hobart, Mayor

ATTEST:

Cynthia Scott, City Clerk

APPROVED AS TO FORM:

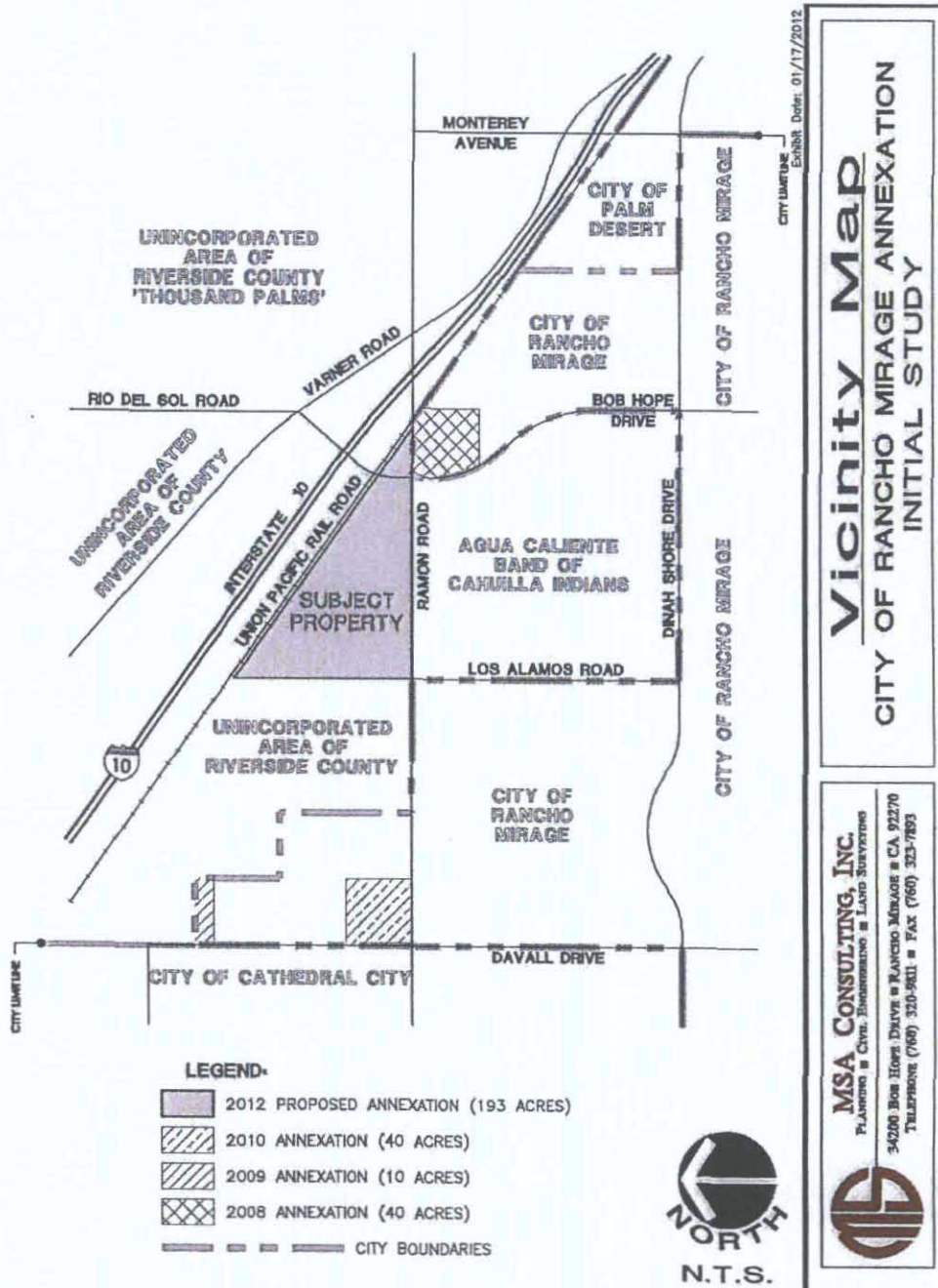
Steven B. Quintanilla, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

Section 13, T4S, R5E, SBB&M, east and west of Bob Hope Drive,
North of Ramon Road and South of the Union Pacific Railroad, and
identified as APN 670-240-003; 670-250-003; 670-250-004 AND 670-
250-005

EXHIBIT "B"
MAP



I-10

EA110006
GPZMA11001
GPT11001
ZTA11002
ANN12001

Bob Hope Drive
Overpass

Ramon Road

Los Alamos Road

CITY OF RANCHO MIRAGE



STAFF REPORT

DATE: March 15, 2012

TO: City Council

FROM: Ira Laufer, Chairman Planning Commission
Bud Kopp, Interim Community Development Director

SUBJECT: Annual Planning Commission Report to Council

SPECIFIC REQUEST OR RECOMMENDATION: Receive and File

JUSTIFICATION OR INFORMATION:

INFORMATION

In April, 2003 the Municipal Code was amended requiring City Commissions and Boards to provide a brief annual report to the City Council. The following is a summary report of the Planning Commission's activities and accomplishments for the calendar year 2011.

The Planning Commission reviewed this report at their February 23, 2012 meeting and voted _____ to recommend that the City Council receive and file.

Planning Commission

In 2011 the Planning Commission reviewed the following projects:

- . One (1) Tentative Parcel Map
- . Two (2) Preliminary Development Plans
- . Two (2) Preliminary Development Plan (Extension of Time)
- . One (1) Conditional Use Permit
- . One (1) Specific Plan Amendment
- . Three (3) Major Modifications to Development Plans

The Commission also reviewed and evaluated the following:

- . Ten (10) Custom Single Family Home Permits
- . One (1) General Plan Zoning Map Amendment
- . Three (3) Zoning Text Amendments
- . One (1) Sign Permit
- . One (1) Sign Program Amendment
- . One (1) Street Name Change

City Council Action:

Approved as Requested: _____

Approved as Amended: _____

Denied: _____

Other: _____

Referred to: _____

For: _____

Cont. to Agenda of: _____

Hearing Set: _____

AGENDA ITEM #

JUSTIFICATION OR INFORMATION CONTINUED:

In summary, the Planning Commission convened 12 meetings and considered and acted upon a total of 26 planning projects. The Commission also held a workshop to review a comprehensive zoning code update.

A highlight of some of the projects reviewed by the Planning Commission includes:

A Preliminary Development Plan requested by Desert European Motorcars Ltd. to construct a 8,730 square foot sales/showroom for Desert European Motorcars, Audi Dealership on a parcel totaling 1.14 acres. The project is located at 71-265 Highway 111.

A Conditional Use Permit requested by T-Mobile West for the installation of a 45 foot high telecommunication tower designed as a palm tree. Also included was new electrical equipment to be installed inside an existing office building suite located at 69730 Highway 111 - Northern Trust Plaza.

A one year Extension of Time to a Development Plan for Tahiti Partners Real Estate Development Corporation previously approved by City Council on February 19, 2009 that consists of 27 single family homes with three floor plans and nine different elevations to be distributed throughout the lots. The homes range in size from 2,349 to 2,835 square feet. The project is located on a 10 acre parcel on the east side of DaVall Drive, south of the Century Park Drive alignment, and to the north of the Tuscany Residential Development.

A Zoning Text Amendment amending Title 17 of the Rancho Mirage Municipal Code to prohibit medical cannabis dispensaries and cultivation outside the context of a qualified patient's or qualified caregiver's personal residence.

A General Plan Zoning Map Amendment and Specific Plan Amendment for the purpose of changing the land use designation of approximately two-acres of property from Mixed Use (M-U) to Open Space Public Park (OP-PP) and to change the Highway 111 East Specific Plan District designation from District #6 to District #8.

A Tentative Parcel Map for Fin Co Partners to subdivide approximately 5.64 acres into four parcels located at 69620 through 69730 Highway 111 (Northern Trust Plaza).

An Extension of Time and Modification to a Development Plan for Dr. Kennedy/5 Peaks approving a 1-year extension of time and approval of a phasing plan. No changes to the project or conditions of approval were proposed by the applicant with the exception of approving a Phasing Schedule for submittal of multiple Final Development Plans and the timing of certain improvements. The project is located on the South

AGENDA ITEM #

JUSTIFICATION OR INFORMATION CONTINUED:

side of the intersection of Highway 111 and Library Way across the street from the Rancho Mirage Library.

An Environmental Assessment and Zoning Text Amendment that amended Title 8.45 (Noise), Title 12 of the Municipal Code (Street Name Changes), Title 16 (Subdivision Ordinance) and Municipal Code Title 17 (Zoning Ordinance). A total of 41 amendments were proposed and recommended for approval.

A Major Modification requested by Toll Brothers for the approval to complete development of Escala South (11 lots). The single story homes range in size from 3,163 square feet to 4,085 square feet with multi-car garages. Casita options range in size from 196 square feet to 228 square feet. The project is located on the south side of Via Marta, 500 feet east of Bob Hope Drive.

A Preliminary Development Plan for Toll Brothers to complete the development of Escala North (30 lots). The single story homes range in size from 3,163 square feet to 4,085 square feet with multi-car garages. Casita options range in size from 196 square feet to 228 square feet. The project is located on the north side of Via Marta, 500 feet east of Bob Hope Drive.